JOURNAL *of the* REGULAR SESSION

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY

Begun and Held in the City of Frankfort, the Sixth Day of January, in the Year of Our Lord 1920, and of the Commonwealth One Hundred and Twenty-Eight.

PROPERTY OF THE STATE OF KENTUCKY

THE STATE JOURNAL COMPANY
Printer to the Commonwealth
Frankfort, Ky.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 25, 1920.

The House was opened with prayer by the Rev. J. C. Pelgrim, Pastor of the Presbyterian Church, of the city of Frankfort, Kentucky, at 10:00 A. M.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Sidney Alfrey	J. W. Johnson	Chas. R. Scott
L. H. Ballard	Henry Kaufman	W. P. Scott
S. M. Bennett	Griffin Kelly	E. E. Shannon
J. M. Billiter	Frank Kennard	Dr. B. F. Shields
W. M. Boling	W. L. Kimbrough	H. G. Skiles
Jo F. Bosworth	J. M. Knott	S. G. Smith
Rodney G. Bryson	Dr. S. D. Laughlin	Wm. A. Stewart
W. T. Carner	Hebron Lawrence	John T. E. Stites
J. F. Carr	Joseph Lazarus	Frank L. Strange
T. L. Caudel	Rev. J. A. Lee	T. R. Stultz
Charles M. Ciarlo	Elmer Lusby	John W. Swope
J. S. Cruse	R. C. Marcum	John B. Thomas
P. A. Day	I. S. Mason	J. Mack Thompson
H. N. Dean	A. J. McCandless	Dr. D. J. Travis
J. B. Denues	R. L. McFarron	C. B. Truesdell
J. M. Foster	H. C. McLellen	John L. Trumbo
Dr. T. H. Gamblin	Harry J. Meyers	J. Wood Vance
B. J. Geohringer	Claude D. Minor	Fred C. VanHoose

J. W. Geveden	Mack J. Morgan	Daniel Vose
Dr. W. L. Gossett	John T. Murphy	G. C. Waggoner
E. C. Hardin	Estill W. Neel	A. M. Wash
Talbert Holliday	Chas. A. Nelson	Dr. T. R. Welch
D. J. Howard	T. P. Oliver	Gladstone Wesley
A. R. Hudson	B. F. Reynolds	W. G. Wheeler
Adam W. Huff	Lee Rogers	R. E. Wilborn
Robt. Humphreys	B. A. Roth	W. N. Winn
R. O. Huntsman	Dr. Lewis Ryans	Dr. W. S. Yazell

Present....81

On motion of Mr. Lawrence the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

The privilege of the floor was extended to former Representative J. M. Elliston, of Elliston, Kentucky.

The following bills ordered recommitted on yesterday were delivered to committees: House Bills Nos. 217, 104, and Senate Bill No. 61.

The following bills and resolutions, passed by the House, were transmitted to the Senate: House Resolutions Nos. 27 and 28; House Bills Nos. 32, 50, and 351.

By unanimous consent of the House Mr. Gossett, of the Committee on Tuberculosis reported House Bill No. 408, "An Act providing for a State Tuberculosis Sanitarium, making appropriations therefor, providing for State ownership of lands acquired and providing regulations for the control of such institution and for the prevention and relief of tuberculosis.

With the expression of opinion that same ought to pass.

Said bill was read at length the first time and placed in the Calendar.

Dr. Welch then moved to commit said bill to the Committee on Appropriations.

Said motion was agreed to and the bill was delivered to said committee.

Mr. Lazarus offered the following resolution, viz.:

Joint resolution approving suggested plan of co-operation between the State Government and the city of Frankfort, and providing for a commission to be selected by the Governor and the Mayor of said city, authorized to report to the General Assembly of 1922 a measure to carry such plan into effect.

Whereas, the people of Kentucky look with just pride upon the history of their State and upon its achievements, and believe that their State Capital should be a model city, a proper setting for a place so historic and for the several million dollars worth of public property within its limits; and

Whereas, the Lieutenant Governor of Kentucky, the Hon. S. Thruston Ballard, has conferred with the municipal and civic authorities of the city of Frankfort, with the view of securing such co-operation as will make of the Capitol City of the Commonwealth a city which every Kentuckian will be proud to point to and to visit, and has met with a most hearty response from the people of Frankfort; now, therefore:

Be it resolved by the Senate of Kentucky, the House of Representatives concurring therein:

§ 1. That we endorse the project, and that a commission be appointed, to serve without compensation, to work out plans of such co-operation between State and city and to submit same to the General Assembly of 1922 for consideration by that body.

§ 2. That this commission be composed of the Governor of Kentucky, the Lieutenant Governor and a third man selected by them from among the present State officials, upon the part of the State, and the Mayor of the city of Frankfort, a member of the common council of said city selected by him,

and these two to select a third man upon the part of the city from the membership of the Chamber of Commerce of said city.

§ 3. The Governor shall be chairman of this joint commission and the Mayor of the city of Frankfort shall be secretary of the commission. Meetings shall be held upon call of the chairman.

Mr. Lazarus moved that the rules be now suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Then said resolution was adopted.

Mr. Billiter offered the following resolution, viz.:

House Resolution No. 30. Resolution authorizing the Auditor of Public Accounts to draw his warrant for $60.21 in favor of Mary K. Ratliff, a teacher in the public schools of Boldman, Pike County, Kentucky, and the treasurer to pay the same.

Whereas, Mary K. Ratliff, a teacher in the public schools of Pike county, possessing the necessary qualifications and holding a regular certificate for such purpose, taught in the free common schools of said county in district No. —, in the year 1911, — months, and received compensation for all of said term except the last month thereof; and

Whereas, the superintendent of schools of Pike county, for said year at the time he settled with the Auditor turned into the said treasury all the money on hands with which to pay teachers for said year in Pike county, including the $60.21, the amount due Mary K. Ratliff, and the said Mary K. Ratliff has not been paid for her services as teacher for said month; now, therefore,

Be it resolved by the House of Representatives, the Senate concurring therein:

That there is and shall be appropriated out of any funds in the State Treasury, not otherwise appropriated the sum of $60.21 for the use and benefit of Mary K. Ratliff, of Boldman, Pike County, Kentucky, to pay her for her services as teacher in sub-school District No. —, Division —, Pike County, Kentucky, for the year 1911, and the Auditor is hereby authorized to draw his warrant in favor of said Mary K. Ratliff for said amount, and the Treasurer is hereby authorized to pay the same.

Said resolution was referred to the Committee on Appropriations.

Mr. McLellen offered a joint resolution as follows, viz.:

House Resolution 31. A resolution providing a copy of the House and Senate Journals of the present session for the use of the Louisville Law Library, Louisville, Kentucky.

Whereas, a request has been made by the president of the Louisville Law Library Company for a copy of the Senate and House Journals of the session of 1920 for the use of said Louisville Law Library; now therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That a copy of the Senate and House Journals of the session of 1920 be furnished to the said Louisville Law Library, and that the clerks of this General Assembly be instructed to place the said Louisville Law Library on the list of parties to whom such Journals are regularly furnished.

Under the rules, said resolution lies over for one day.

Mr. Roth offered the following joint resolution, viz.:

House Resolution No. 32. Joint resolution for the benefit of the Pages and Cloakroom keepers of the House and Senate.

Whereas, the Pages and Cloakroom keepers of the House and Senate are not receiving a sufficient salary to cope with the high cost of living which exists at the present time, and

Whereas, they are efficiently discharging the duties of their office; therefore,

Be it resolved by the House of Representatives, the Senate concurring herein:

That the sum of one dollar and fifty ($1.50) cents per diem for each Page of the House and Senate and for each Cloakroom keeper of the House and Senate be and the same is hereby appropriated out of the State Treasury of Kentucky in addition to the per diem they are now receiving.

Mr. Roth moved to suspend the rules and take said resolution up for immediate consideration.

Said motion was agreed to.

Said resolution was read at length.

The yeas and nays being taken thereon resulted as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	J. M. Knott	Dr. B. F. Shields
H. H. Barnes	Joseph Lazarus	H. G. Skiles
S. M. Bennett	Rev. J. A. Lee	S. G. Smith
W. T. Carner	Elmer Lusby	H. A. Spillman
J. F. Carr	R. C. Marcum	Wm. A. Stewart
T. L. Caudel	I. S. Mason	John T. E. Stites
B. L. Cox	A. J. McCandless	Frank L. Strange
J. S. Cruse	R. L. McFarron	T. R. Stultz
P. A. Day	H. C. McLellen	John W. Swope
H. N. Dean	Harry J. Meyers	John B. Thomas
J. B. Denues	Claude D. Minor	J. Mack Thompson
Dr. T. H. Gamblin	Mack J. Morgan	J. H. Thompson
B. J. Geohringer	John T. Murphy	John L. Trumbo

A. L. Hamilton	Estill W. Neel	J. Wood Vance
E. C. Hardin	T. P. Oliver	Fred C. VanHoose
Talbert Holliday	T. C. Pryse	Daniel Vose
D. J. Howard	B. F. Reynolds	J. S. Webb
A. R. Hudson	Sherman Robbins	Dr. T. R. Welch
Adam W. Huff	B. A. Roth	Gladstone Wesley
Robt. Humphreys	Dr. Lewis Ryans	W. G. Wheeler
R. O. Huntsman	Chas. R. Scott	R. E. Wilborn
J. W. Johnson	W. P. Scott	—67
Henry Kaufman	E. E. Shannon	

Those who voted in the negative were:

W. M. Boling	W. L. Kimbrough	Lee Rogers
H. C. Duffy	Hebron Lawrence	Dr. D. J. Travis
Frank Kennard	Chas. A. Nelson	—8

So said resolution was adopted.

Resolved, That the title thereof be as aforesaid.

Mr. Welch moved to call from the Clerk's desk and place upon its passage, Senate Resolution No. 10.

A resolution authorizing M. M. Logan to sue the Commonwealth of Kentucky for the value of legal services rendered in a suit instituted by V. O. Gilbert, Superintendent of Public Instruction to determine whether the school fund was entitled to a part of the inheritance tax.

Whereas, the Honorable R. L. Green, Auditor of Public Accounts, construed the inheritance tax laws to mean that the public school fund was not entitled to any part thereof collected by the State of Kentucky; and

Whereas, the then Attorney General, Honorable Charles H. Morris, advised the Auditor of Public Accounts that the school fund was not entitled to any part of the said inheritance tax; and

Whereas, the Superintendent of Public Instruction had no one to represent his department, and the school teachers throughout the State, in determining the question; and

Whereas, the said Gilbert employed M. M. Logan to represent his department and the school teachers throughout the State in said litigation and agreed to pay him for said services out of the sum recovered for the school fund, if he had authority so to do; and

Whereas, the said Logan and Gilbert came to the conclusion that the contract made by the said Gilbert with the said Logan would not be sufficient authority for the payment of compensation to said Logan; and

Whereas, the said Logan represented the Department of Education, and the school teachers throughout the State in the said litigation in the Franklin Circuit Court where said case was decided against the Department of Education and the teachers; and

Whereas, said case was appealed to the Court of Appeals where said Logan still continued to represent said parties and where it was decided that the school fund was entitled to share in the inheritance tax thereby making immediately available almost $500,000.00, of which said school fund had been deprived, and entitling the said fund to share in the inheritance tax which might be collected in the future; and

Whereas, the said Logan has not been paid anything for his services, and believing he is justly entitled to a reasonable compensation to be determined from the facts,

Now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said M. M. Logan is hereby authorized and permitted to institute a suit against the Commonwealth of Kentucky in the Franklin Circuit Court under the style of M. M. Logan, Plaintiff, vs. John J. Craig, Auditor of Public Accounts, Defendant, in order that said court may determine and allow, after a consideration of the proof as to the value of said services, a reasonable fee to said Logan for his services in the above mentioned litigation, and when said judgment becomes final, the Auditor of Public Accounts is directed to issue to said M. M. Logan his warrant upon the School Fund of the State for the sum of said judgment, and the

Treasurer is directed to pay said warrant out of the School Fund.

§ 2. Either party may appeal from the judgment from the Franklin Circuit Court to the Court of Appeals and the case may be settled and adjusted with the consent and approval of the Attorney General the same as any other civil case.

§ 3. Nothing in this resolution shall be construed to render legal or binding, any alleged contract or agreement with said M. M. Logan made by any officer of the Commonwealth of Kentucky which without this resolution would be illegal and void, or render conclusive on the court any statement of fact made herein, but the Court may consider all the conditions and circumstances, and if it shall appear that there was a necessity for such legal services and that the Department of Education could not have procured such legal services from the legal Department of the State, then the Court may award to the said M. M. Logan such a sum as they determine to be reasonable compensation for such services.

Provided that all of the costs of this action shall be paid to the Clerk of the Franklin Circuit Court out of the amount awarded to the said M. M. Logan, and provided further, that any amount so awarded to M. M. Logan in any such suit shall not exceed $5,000.00.

Said motion was agreed to.

Said resolution was read at length.

A roll call being demanded by Dr. Welch and another, said roll call was had and resulted as follows, viz.:

Those who voted in the affirmative were:

W. T. Beckham	Henry Kaufman	H. G. Skiles
W. M. Boling	Griffin Kelly	S. G. Smith
T. L. Caudel	Frank Kennard	John T. E. Stites
P. A. Day	J. M. Knott	Frank L. Strange
H. C. Duffy	Rev. J. A. Lee	John W. Swope
Dr. W. L. Gossett	Estill W. Neel	J. Mack Thompson

A. L. Hamilton	T. P. Oliver	J. H. Thompson
E. C. Hardin	B. F. Reynolds	Dr. T. R. Welch
D. J. Howard	Chas. R. Scott	W. G. Wheeler
J. W. Johnson	W. P. Scott	W. N. Winn

—30

Those who voted in the negative were:

Sidney Alfrey	Robt. Humphreys	B. A. Roth
L. H. Ballard	W. L. Kimbrough	E. E. Shannon
S. M. Bennett	Hebron Lawrence	R. Lee Stewart
W. T. Carner	Joseph Lazarus	Wm. A. Stewart
J. F. Carr	Elmer Lusby	T. R. Stultz
Charles M. Ciarlo	R. C. Marcum	John B. Thomas
J. S. Cruse	I. S. Mason	Dr. D. J. Travis
H. N. Dean	A. J. McCandless	John L. Trumbo
J. B. Denues	R. L. McFarron	Fred C. VanHoose
J. M. Foster	Claude D. Minor	Daniel Vose
Dr. T. H. Gamblin	Mack J. Morgan	A. M. Wash
B. J. Geohringer	Chas. A. Nelson	J. S. Webb
Talbert Holliday	T. C. Pryse	R. E. Wilborn
A. R. Hudson	Sherman Robbins	—43
Adam W. Huff	Lee Rogers	

So the House refused to concur in said resolution.

Mr. Geohringer moved that House Bill No. 380 be made a special order for 11:30 A. M. on Thursday, February 26th, instead of House Bill No. 328, which holds that position now. Mr. Lazarus moved to suspend the rules and take up for consideration House Bill No. 139.

Said motion was agreed to.

Then Mr. Lazarus moved to defer consideration of said bill, which is a special order for today at 11:30 A. M., to 2:30 P. M., so as not to conflict with the address of Attorney General Palmer.

Mr. Kaufman moved to table said motion.

This motion was disagreed to.

Then the motion of Mr. Lazarus to defer consideration of said bill to the hour of 2:30 P. M. was agreed to.

Mr. Lazarus moved that the vote by which said motion to defer was agreed to be reconsidered and that that motion lie on the table.

Said motion was adopted.

Mr. Minor moved to extend today's session indefinitely.

Said motion was agreed to.

Mr. Minor moved that the House recess today from the close of the address of Attorney General Palmer until 2:00 o'clock P. M.

Said motion was agreed to.

A message was received from the Senate announcing that that body had passed Senate Bill No. 206: "A bill providing for the establishment of an independent consolidated graded and high school."

Said bill was ordered to be printed and referred to the Committee on Education No. 1.

Also that the Senate had passed Senate Bill No. 26, "An Act providing for the granting of scholarships at the Kentucky State University and the State Normal schools to all persons who were engaged in the military or naval service of the United States during the war with Germany, and who were citizens of this State at the time of their enlistment; providing the requirements necessary to obtain same; and defining the rights and privileges to be given."

Ordered, that said bill be printed and referred to the Committee on Education No. 1.

Upon a call of standing committees for reports the following bills were reported, viz.:

By Mr. Smith, of the Committee on Public Roads and Highways:

House Bill 415. An Act relating to Revenue and Taxation, requiring an excise or license tax to be paid on all gasoline or any substitute therefor sold at retail in this State and requiring any person engaging in business of selling gasoline or any substitute therefor at retail to pay said tax for the privilege of engaging in said business; providing the manner of collecting said tax, requiring reports and fixing fines and penalties for violations of the Act.

With the expression of opinion that same ought to pass with an amendment.

By same:

House Bill 416. An Act to amend and re-enact Section 2739-g-2 Kentucky Statutes, Volume 3, Edition 1915, which was originally Section 2 of Chapter LXIX, Acts of 1914, and which was amended by Chapter XXVII, Acts of 1918, relating to the registration of and license of motor vehicles.

With the expression of opinion that same ought to pass.

By same:

House Bill 488. An Act to amend Section 4337 of Volume 2 of Carroll's 1915 Edition of the Kentucky Statutes.

With the expression of opinion that same ought to pass.

By same:

House Bill 492. An Act authorizing the fiscal courts of certain counties, and authorizing certain municipalities, to appropriate money for the purpose of securing the necessary areas of water front and suitable water terminals at all

towns and landings along certain parts of the Cumberland River adequate for traffic, same to be open to the public equally on terms satisfactory to the Secretary of War of the United States.

With the expression of opinion that same ought to pass.

By Mr. Stults, of the Committee on Appropriations:

Senate Bill No. 61. An Act to amend and re-enact Section 1763 of Kentucky Statutes, Carroll's Edition, 1915, entitled "Salary of deputies, maximum allowed, and increasing the salaries of such deputies."

With the expression of opinion that same ought to pass.

By Mr. Carr, of the Committee on Alcoholic Liquor Traffic:

House Bill 475. An Act providing for the erection of monuments in the various counties of this Commonwealth in honor of soldiers, sailors, marines and Red Cross nurses who died in the recent war with Germany and Austro-Hungary; appropriating money therefor, providing land for such purposes and manner and method in which monuments are to be erected.

Without expression of opinion.

Mr. Lee moved that said bill be read the first time and placed in the Calendar.

Said motion was agreed to.

By same:

House Bill 273. An Act to repeal and re-enact Chapter CLXVIII, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled, "An Act making unlawful to buy, bargain, sell, loan, own, have in possession or to operate, or to aid, abet, assist, or

encourage in the operation, or to harbor a person in the possession or in the operation of an illicit or 'moonshine' still and providing a penalty for any violation of this Act; and further fixing the burden of proof, and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this Act, out of the county levy of the county in which the indictment may be returned."

With an expression of opinion that same ought to pass.

By Mr. Morgan, of the Committee on Agriculture:

House Bill 472. An Act to promote the production of eggs in this Commonwealth by requiring the candling of all eggs intended for market during certain seasons and providing penalties for the violation thereof.

With an expression of opinion that same ought to pass.

By same:

House Bill 471. An Act to amend Section 4 of Chapter CXVIII of the Sessions Acts of 1918, entitled: "An Act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack or bull in this Commonwealth, fixing the date of the expiration of licenses provided for, and providing the manner of registering and recording the breed, name, age, color, sire and dam of the animal to be licensed and fixing a fee for such registration, and fixing penalties for failure to provide licenses."

With the expression of opinion that same ought to pass.

By same:

House Bill 470. An Act to amend and re-enact Section 11, of Chapter LXIX, of the Acts of 1918, entitled "An Act to suppress, prevent, control and eradicate communicable diseases in live stock, to provide the necessary officers and define their duties and powers, and to appropriate funds nec-

essary for its enforcement, and repealing Section 63-a of Article 2, Chapter V, Carroll's Edition, Kentucky Statutes.

With the expression of opinion that same ought to pass.

By Mr. Roth, of the Committee on Municipalities:

House Bill 460. An Act to amend, enlarge, and re-enact Section 3028 Kentucky Statutes, Carroll's Edition of 1915, (being section 242 of the Act approved July 1, 1893, entitled, "An Act for the government of cities of the first class") relating to the sale of liquor by druggists and apothecaries, in cities of the first class, upon the prescriptions of physicians.

With the expression of opinion that same ought to pass.

By same:

House Bill 406. An Act to amend Section 2944 of the Kentucky Statutes, relating to increase in salaries of Deputy Bailiffs of City Court of Louisville, Kentucky.

With the expression of opinion that same ought to pass.

By same:

House Bill 407. An Act to amend and re-enact Section 2931 of the Kentucky Statutes, relating to salary of Deputy Clerks of City Courts in cities of the first class.

With the expression of opinion that same ought to pass.

By same:

House Bill 447. An Act to enable any city of the first class to provide for constructing, erecting, and equipping buildings, and grounds of the College of Arts and Sciences of its Municipal University.

With the expression of opinion that same ought to pass.

By same:

House Bill 496. An Act to allow an increase in the tax for the Parental Home and School Commission in counties containing a city of the first class and for that purpose to amend and re-enact Section 4 of Chapter CVI of the Acts of the General Assembly of 1912 being Sub-section 4 of Section 938-b of the Kentucky Statutes, Carroll's 1915 Edition.

With the expression of opinion that same ought to pass.

By same:

Senate Bill No. 127. An Act to amend and re-enact sections 3 and 5 of an act entitled "An Act to create the Kentucky Library Commission, to define its powers and duties and to provide for its expenses," which act is Chapter XXVII, acts 1910, approved March 17, 1910.

With the expression of opinion that same ought to pass.

By Mr. Williamson, of the Committee on Suffrage and Election:

House Bill 432. An Act amending Article 12, Sub-section 6 of Section 1550 of Carroll's Kentucky Statutes, 1915 Edition, re-enacting same and providing therein that no applicant or candidate for any public office within the State of Kentucky who shall have been defeated for a nomination, shall thereafter be a candidate for the same office in the general election of the same year in which said candidate aspired or attempted to be nominated under the aforesaid sub-section 6, Section 1550 of said Statutes.

With the expression of opinion that same ought to pass.

By Dr. Ryans, of the Committee on Charitable Institutions:

House Bill 464. An Act to amend and re-enact Sub-sections 14 and 29 of Section 217-a, of the Kentucky Statutes, being Sections 14 and 29 of Chapter XVIII of the Acts of 1906,

as amended by Chapter XXVIII of the Acts of 1908, relating to the amount to be charged and recovered for the board of pay patients at the several charitable institutions maintained by the State.

With the expression of opinion that same ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

By Dr. Gamblin, of the Committee on Pure Food:

House Bill 134. An Act entitled an act regulating the Storage Period and sale of food in the Commonwealth of Kentucky.

With the expression of opinion that same ought not to pass.

The Speaker stated the question "Shall the bill be read the first time and placed in the calendar the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Said bill was refused its first reading.

By unanimous consent Mr. Wash introduced the following bill, viz:

House Bill 512. An Act to amend and re-enact Section 4527 Kentucky Statutes, Carroll's 1918 Edition.

Same was ordered to be printed and referred to the Committee on Education No. 1.

The members of the Senate appeared on the floor of the House and Lieutenant Governor Ballard took the Chair and called the Joint Session to order to hear the address of Hon. A. Mitchell Palmer, Attorney General of the United States.

The Attorney General addressed the Joint Session and at the close of his address the Joint Session was dissolved.

Then the House was called to order by the Speaker and immediately recessed until 2:00 o'clock P. M.

WEDNESDAY, FEBRUARY 25, 1920.

AFTERNOON SESSION.

The House was called to order by the Speaker.

Mr. Lazarus indicated that the hour of 2:30, the time for the special order, House Bill No. 139, had arrived.

Then the House took up for consideration from the Orders of the Day, the special order, House Bill No. 139 of the following title:

House Bill No. 139. An Act to suppress trading stamps, coupons, tickets, certificates, labels, metal checks and tags and other similar written, printed, embossed, engraved and blown premium devices of whatever material made and by whatever name called, and providing penalties for violations of its provisions.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The term "trading stamp," within the meaning of this act, is hereby defined to be any stamp, coupon, ticket, certificate, label, metal check or tag, or any other similar written, printed, embossed, engraved or blown premium device, of whatever material made or by whatever name called, that is issued or given away or furnished with any purchase or sale of goods, wares or merchandise or other article or thing of value, or with work, labor or services of any kind, performed

or rendered for reward or compensation, which, when presented either separately or with other similar stamps, coupons, tickets, certificates, labels, metal checks or tags, or other similar written, printed, embossed, engraved or blown premium devices, of whatever material made or by whatever name called, shall entitle, or purport to entitle, the holder thereof, or the person presenting the same, whether singly or in any specified number or numbers, to receive, in whole or in part, any gift, prize, money, article or merchandise of value, or which shall be received or taken in part payment for any gift, prize, money or article or merchandise of value.

The term "trading stamp company," within the meaning of this act, is hereby defined to mean and include any person, firm or corporation that is engaged in the business of issuing, distributing, selling or furnishing to merchants or to any other person, trading stamps, as herein defined, which such merchant or other person furnishes or gives away to his customers with the purchases or sales of goods, wares or merchandise, or in connection with work, services or labor performed for reward or compensation, it being immaterial whether such stamps are redeemed in money or merchandise by the trading stamp company or by the merchant or person who gives them to his customers, or by any other person.

The term "merchant" and the term "person," wherever used in this act shall include and be held to mean individual, partnership, corporation and joint stock company; the singular number shall include the plural, and vice versa, and the masculine gender shall include the feminine.

§ 2. It shall be unlawful for any trading stamp company or any other person, firm or corporation, doing business in this Commonwealth to issue, distribute, give, sell, furnish, supply to or procure for, any merchant or other person in this Commonwealth, trading stamps to be distributed, used or given away by such merchant or other person, with, for, or in connection with, the sale of goods, wares or merchandise by such merchant, or work, labor or services rendered or performed for reward or compensation by such other person.

Nor shall any such trading stamp company or other person, firm or corporation, redeem trading stamps, or hold it-

self or himself out as ready or willing to redeem trading stamps except as hereinafter provided in and by Section 6 of this act.

§ 3. It shall be unlawful for any merchant or other person to issue, sell, vend, distribute, furnish or give away trading stamps in connection with the sale of any goods, wares or merchandise, or work, labor or services of any kind performed or rendered for reward or compensation, or by virtue of such sale or of such work, labor or services so rendered or performed, or by reason of the payment to such merchant or other person of any bill, account or moneys due or owing to such merchant or other person.

Nor shall any such merchant or other person redeem trading stamps, or hold himself out as ready or willing to redeem trading stamps except as hereinafter provided in and by Section 6 of this act.

§ 4. It shall be unlawful for any person to accept or receive from any merchant or other person, trading stamps in connection with, or by virtue of, the purchase of any goods, wares or merchandise, from any such merchant or other person in connection with, or by virtue of, any work, labor or services of any kind performed or rendered by such merchant or other person for reward or compensation.

Nor shall it be lawful for any person to accept or receive trading stamps from any merchant or other person by reason of the prompt or any payment to such merchant or other person of any bill, account, or money or moneys, due or owing to such merchant or other person.

§ 5. It shall be unlawful for any newspaper, magazine, sheet or periodical published and circulated in this Commonwealth to print or publish therein any advertisement of any trading stamp company, or any advertisement of, or any announcement by, any person indicating that such person gives or redeems or holds himself out as ready or willing to give or redeem, trading stamps, or to print, advertise, circulate or publish in any such newspaper, magazine, sheet or periodical any matter, announcement, symbol or statement or in anywise concerning the use, sale, distribution or redemption of

trading stamps, except as hereafter provided in Section 6 of this act.

§ 6. Nothing contained in this act shall prohibit or be construed to prohibit, any trading stamp company, merchant or other person that has heretofore redeemed, or has held itself or himself out as ready, willing or able to redeem, trading stamps, from redeeming any or all trading stamps that have been issued and are outstanding at the time this act takes effect for a period of ninety days from and after the day that this act becomes effective. During such period of ninety days, merchants, or other persons who have, prior to the day this act becomes effective, furnished, distributed, or given away trading stamps in connection with any sale of goods, wares or merchandise, or work, labor or services of any kind performed or rendered for compensation, may redeem such stamps; during the aforementioned period of ninety days trading stamp companies may redeem all stamps in the hands of merchants or other persons which trading stamp companies have sold, distributed or furnished to such merchants or other persons, whether such stamps are still in the hands of merchants or other persons unused.

Nothing in this section, however, shall authorize or be construed to authorize any trading stamp company, or any merchant or other person to issue, sell, vend, distribute, furnish or give away, any trading stamps on or after the day this act becomes effective, the sole purpose of this section being to authorize the redemption, for a period of ninety days, of stamps issued and outstanding on the day this act becomes effective, whether in the hands of a merchant or other person, or of the persons who have collected trading stamps.

Nothing contained in section 5 of this act shall prohibit any newspaper, magazine, sheet or periodical, published and circulated in this Commonwealth, for the aforementioned period of ninety days, from printing or publishing therein any advertisement of any trading stamp company or merchant or any other person indicating or announcing that such trading stamp company, merchant or other person is willing to redeem trading stamps for the above mentioned

period of ninety days, or, where, or how, or when, trading stamps may be redeemed during said period.

§ 7. Any person violating any provision of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than $50 nor more than $100, or imprisoned for not less than five nor more than fifty days, or both so fined and imprisoned, for each offense.

§ 8. Any person who accepts or receives a trading stamp or trading stamps, in violation of section 4 of this act shall be a competent witness in any prosecution against the merchant or other person who furnished, distributed, or gave away such trading stamp or trading stamps; and it shall be no exemption to the person so accepting or receiving same that his testimony may incriminate himself, but no such testimony given by the witness shall be used against him in any prosecution except for perjury, and said witness shall be discharged from all liability for any offense so necessarily disclosed in his testimony.

§ 9. If, for any reason, any section, provision, clause or any part of this act shall be held to be unconstitutional or invalid, then that fact shall not affect or destroy the validity or constitutionality of any other section, provision, clause or part of this act, which is not in and of itself unconstitutional or invalid, and the remaining portion of the act shall be enforced without regard to the section, provision, clause or part so held to be invalid.

§ 10. All laws and parts of laws inconsistent herewith are hereby repealed.

Mr. Stites offered the following amendment:

Amendment No. 1. Amend House Bill No. 139 by adding thereto the following:

"Provided, however, that this Act shall not prohibit the manufacturer or packer from issuing and redeeming, in any manner for any goods, fares or merchandise, his, its, or their own labels, trade-marks, wrappers, coupons, or other similar tokens which are attached to, included within or form a part of

the package of his, its, or their own goods, wares, or merchandise, nor the sale of such goods, wares or merchandise."

By unanimous consent, this amendment was withdrawn.

Mr. Humphries offered Amendment No. 2 as follows:

Amend House Bill No. 139, Section 7, Line 2, by striking out the word "misdemeanor" and inserting in lieu thereof "felony" and in line 3 by striking out the figures "$50" and inserting in lieu thereof the figures "$500," and striking out the figures "$100" and inserting in lieu therof the figures "$1000," and by striking out the word "five" and inserting in lieu thereof the words "one year," and in line 4 by striking out the words "fifty days" and inserting in lieu thereof the words "five years."

Mr. Kaufman moved to table said amendment.

Said motion was lost.

Then said amendment was rejected.

Mr. Neel offered Amendment No. 3 as follows:

Amendment to House Bill No. 139.

"Provided, however, that this act shall not prohibit the manufacturer, packer, dealer or retailer, from issuing and redeeming, in any manner, for any goods, wares, or merchandise, his, its, or their own labels, trade-marks, wrappers, coupons, or other similar tokens which are attached to, included within, or form a part of the package of his, its, or their own goods, wares, or merchandise, nor the sale of such goods, wares, or merchandise."

Said amendment was agreed to.

Mr. Murphy offered Amendment No. 4 as follows:

Amend House Bill No. 139, Section 3, Line 1, of the printed bill by inserting after the word "merchant" the words "jobber or manufacturer," and by inserting in line 2 after the word "stamps" "or any discount," and by inserting in line 6 after the word "merchant" the words "jobber or manufacturer," and by inserting in line 9 after the word "merchant" the words "jobber or manufacturer," and inserting after the word "stamps" the words "or give discount," and by inserting in line 10 after the word "stamps" the words "or give discounts."

Section 4, line 2, by inserting after the word "merchant" the words "jobber or manufacturer," and inserting after the word "stamps" the words "or discounts" and by inserting in line 4, after the word "merchant" the words "jobber or manufacturer," and by inserting in line 8, after the word "stamps" the words "or discounts," and by inserting after the word "merchant" the words "jobber or manufacturer," and by inserting in line 10, after the word "merchant" the words "jobber or manufacturer."

Said amendment was disagreed to.

Dr. Gossett moved the previous question.

The Speaker stated, Shall the main question be now put?

Said question was decided in the affirmative.

Ordered that said bill be engrossed and read the third time.

The Constitutional provisions as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows:

Those who voted in the affirmative were:

Sidney Alfrey	Dr. W. L. Haynes	B. A. Roth
H. H. Barnes	A. R. Hudson	E. E. Shannon
S. M. Bennett	Adam W. Huff	Dr. B. F. Shields
J. F. Carr	R. O. Huntsman	S. G. Smith
Charles M. Ciarlo	J. W. Johnson	R. Lee Stewart
B. L. Cox	Joseph Lazarus	Wm. A. Stewart
J. S. Cruse	R. C. Marcum	John L. Trumbo
H. N. Dean	I. S. Mason	J. Wood Vance
J. B. Denues	A. J. McCandless	Daniel Vose
J. M. Foster	R. L. McFarron	J. S. Webb
Dr. T. H. Gamblin	Mack J. Morgan	Dr. T. R. Welch
B. J. Geohringer	Estill W. Neel	V. M. Williamson
J. W. Geveden	T. C. Pryse	—40
A. L. Hamilton	Sherman Robbins	

Those who voted in the negative were:

Lon Adams	Dr. S. D. Laughlin	Frank L. Strange
W. T. Beckham	Hebron Lawrence	T. R. Stultz
W. M. Boling	Elmer Lusby	John W. Swope
W. T. Carner	Harry J. Meyers	John B. Thomas
P. A. Day	Claude D. Minor	J. Mack Thompson
H. C. Duffy	John T. Murphy	Dr. D. J. Travis
Dr. W. L. Gossett	Chas. A. Nelson	C. B. Truesdell
E. C. Hardin	B. F. Reynolds	Fred C. VanHoose
D. J. Howard	Lee Rogers	G. C. Waggoner
Robt. Humphreys	Dr. Lewis Ryans	A. M. Wash
Henry Kaufman	Chas. R. Scott	Gladstone Wesley
Griffin Kelly	W. P. Scott	W. G. Wheeler
Frank Kennard	H. G. Skiles	R. E. Wilborn
W. L. Kimbrough	H. A. Spillman	Dr. W. S. Yazell
J. M. Knott	John T. E. Stites	—44

So said bill was rejected.

Mr. Hardin moved that the vote by which said bill was rejected be reconsidered and that that motion lie on the table.

Said motion was agreed to.

The following pair was announced:

Mr. Holliday who will be absent with Mr. Humphries on all party and administration measures until adjournment of the House on Wednesday, March 3, 1920.

Mr. Holliday, if present, would vote yea on all said questions.

The House took up for consideration from the Orders of the Day a bill entitled:

House Bill 206. An Act to amend sub-section 7 of section 1019-a of the Act approved March 29, 1902, entitled: "An Act to provide for stenographic reporters for courts of continuous session."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title.

Mr. Barnes moved to substitute Senate Bill No. 18 in the Orders of the Day for House Bill No. 206.

Said motion was agreed to.

Senate Bill No. 18. An Act to amend Sub-section 7 of Section 1019-a of the Act approved March 29, 1902, entitled, "An Act to provide stenographic reporters for the courts of continuous session."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sub-section 7 of Section 1019-a, of an Act approved March 29, 1902, entitled, "An Act to provide for stenographic reporters for courts of continuous session" being Sub-section 7 of Section 1019-a of Carroll's Kentucky Statutes, Edition of 1915, be and it is hereby amended by striking therefrom the words: "Said reporter shall receive for his services in taking stenographic notes a salary of not more than one thousand dollars per annum," and by adding instead of the words so stricken the following: "Said reporter shall receive for his services in taking stenographic notes a salary of not less than twelve hundred dollars nor more than eighteen hundred dollars per annum;" and by striking therefrom the words: "For making transcripts of evidence taken by him, said reporters shall receive twenty-five cents per page original copy and ten cents per page for each duplicate thereof, said pages to average not less than thirty lines of not less than eleven words each," and by adding instead of the words so stricken the following: "Said reporter shall receive for making transcripts of evidence taken by him fifteen cents per hundred words original copy and six cents per hundred words for each duplicate copy thereof."

So that said Sub-section as amended shall read as follows: "Said reporter shall receive for his services in taking stenographic notes a salary of not less than twelve hundred dollars nor more than eighteen hundred dollars per annum, to be fixed by the fiscal court of the county in which the court appointing said reporter is held, and to be paid in monthly installments by said county. Said reporter shall receive for making transcripts of evidence taken by him fifteen cents per hundred words original copy and six cents per hundred words for each duplicate copy thereof. In civil actions or proceedings the fees of making any transcript or duplicate shall be paid by the party upon whose motion such transcript or duplicate is made, such fees to be taxed as part of the costs in the case. In criminal cases the fees for making transcripts and duplicates shall be paid by the county in which such court

shall be held, whenever said transcript and duplicate are made upon the motion of the Commonwealth. If such transcript or duplicate is made upon motion of the defendant in a criminal case, such defendant shall pay the fees therefor, unless the court is satisfied that he is unable to do so, in which event such fees shall be paid by said county.

The question being taken on the adoption of said Senate Bill as a substitute to said House Bill, the question was decided in the affirmative, and said Senate Bill was substituted for the House Bill.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	E. E. Shannon
H. H. Barnes	Griffin Kelly	Dr. B. F. Shields
W. M. Boling	Frank Kennard	H. G. Skiles
Rodney G. Bryson	J. M. Knott	S. G. Smith
W. T. Carner	Dr. S. D. Laughlin	R. Lee Stewart
J. F. Carr	Hebron Lawrence	Wm. A. Stewart
Charles M. Ciarlo	Elmer Lusby	John T. E. Stites
B. L. Cox	R. C. Marcum	T. R. Stultz
J. S. Cruse	A. J. McCandless	John B. Thomas
P. A. Day	R. L. McFarron	J. Mack Thompson
H. N. Dean	Harry J. Meyers	Dr. D. J. Travis
J. B. Denues	Claude D. Minor	C. B. Truesdell
H. C. Duffy	John T. Murphy	John L. Trumbo

B. J. Geohringer	Estill W. Neel	J. Wood Vance
Dr. W. L. Gossett	Chas. A. Nelson	Daniel Vose
A. L. Hamilton	T. C. Pryse	G. C. Waggoner
E. C. Hardin	B. F. Reynolds	A. M. Wash
Talbert Holliday	Sherman Robbins	J. S. Webb
D. J. Howard	Lee Rogers	Dr. T. R. Welch
A. R. Hudson	B. A. Roth	Gladstone Wesley
Adam W. Huff	Chas. R. Scott	—64
J. W. Johnson	W. P. Scott	

Resolved that the title thereof be as aforesaid.

Mr. Barnes moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Mason moved that the rules be suspended and that the House take up for consideration House Bill No. 158.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled House Bill No. 158:

House Bill No. 158. An Act to amend and re-enact Section 772-a, Kentucky Statutes, relating to the operation of railroads in this Commonwealth.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 772-a of the Kentucky Statutes, relating to the operation of railroads in this Commonwealth, be and the same is hereby amended by striking out of all of said section and inserting in lieu thereof the following:

That all corporations, companies, persons or associations owning and operating a railroad line in this Commonwealth

or any branch of any railroad in this Commonwealth, the length of which exceeds five miles, shall be required and they are hereby directed, to run at least one passenger train each way on every day of the year over said line, and in addition thereto, if only one passenger train is run each way every day in the year, over said line, said corporations, companies, persons or associations operating such line of railroad, shall be required and they are hereby directed to equip a sufficient number of their local freight trains, operated over such railroad line, for passenger services, to insure the running of at least one of such local freight trains, so equipped for passenger service, over said line of railway, each way, every day in the year, Sunday excepted; provided however, that the provisions of this Act shall not apply to mere coal switches or any switch or branch which has been chartered and may be used by any corporation, company or person merely for the purpose of carrying freight or coals to their main line or track.

§ 2. That any corporation, association, company or person who shall wilfully violate the provisions of this Act shall be liable to a forfeiture of the charter of such corporation, company or association, and upon conviction in a court of competent jurisdiction shall be fined not less than three hundred dollars for each offense. And each day such corporation, company, association or person fails to operate its said trains in accordance with the provisions of this Act shall be considered and treated as a separate and distinct offense.

§ 3. The penalties herein denounced may be recovered by indictment in the circuit court of any county through which the track of such railroad extends, or by information lodged by the county or Commonwealth's attorney or by an ordinary suit for penalties.

§ 4. That it shall be the duty of the judge of the circuit court of each county through which the line of railroad extends to give in charge to the grand jury, the provisions of this Act, at each session of the circuit court held in any county through which the line of such road extends.

§ 5. This Act shall be in force and take effect within ninety days after the adjournment of the General Assembly.

The committee offered Amendment No. 1 as follows:

Amend House Bill No. 158 by striking out the words "five miles," in line seven of the printed bill and inserting in lieu thereof the words "fifty miles."

Said amendment was adopted.

Mr. Wash offered Amendment No. 2 as follows:

Amendment to House Bill 158.

Amend by striking out the word "five" in line 7 and substitute "three."

Said amendment was withdrawn.

Mr. Mason offered Amendment No. 3 as follows:

Amend House Bill No. 158, Section 4 line 4 of printed bill by changing the period at the end of said line to a coma and inserting and adding to said Section the following, "Provided this act is in no wise to affect or diminish the service or authorize the same to be done on any line of railroad of a less distance or length than fifty miles nor to affect train service now required by law."

Said amendment was adopted.

Ordered that the bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Dr. S. D. Laughlin	H. G. Skiles
H. H. Barnes	Hebron Lawrence	S. G. Smith
S. M. Bennett	Joseph Lazarus	R. Lee Stewart
Rodney G. Bryson	Elmer Lusby	Wm. A. Stewart
J. F. Carr	R. C. Marcum	John T. E. Stites
T. L. Caudel	I. S. Mason	T. R. Stultz
Charles M. Ciarlo	A. J. McCandless	John B. Thomas
B. L. Cox	R. L. McFarron	J. Mack Thompson
H. N. Dean	H. C. McLellen	Dr. D. J. Travis
J. M. Foster	Claude D. Minor	C. B. Truesdell
B. J. Geohringer	John T. Murphy	John L. Trumbo
J. W. Geveden	Estill W. Neel	J. Wood Vance
Dr. W. L. Gossett	Chas. A. Nelson	Daniel Vose
E. C. Hardin	T. P. Oliver	G. C. Waggoner
A. R. Hudson	B. F. Reynolds	A. M. Wash
Adam W. Huff	Lee Rogers	Dr. T. R. Welch
R. O. Huntsman	B. A. Roth	Gladstone Wesley
J. W. Johnson	Chas. R. Scott	R. E. Wilborn
Henry Kaufman	W. P. Scott	W. N. Winn
W. L. Kimbrough	E. E. Shannon	—61
J. M. Knott	Dr. B. F. Shields	

Resolved that the title thereof be as aforesaid:

Mr. Mason moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hamilton moved that the House take up House Bill No. 374 and place it upon its passage.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled House Bill No. 374.

House Bill No. 374. An Act to amend and re-enact Sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 Edition, being a part of the charter of cities of the second class, for the better government, administration and disposition and discipline of the police and fire department, and to create and perpetuate a pension fund for disabled police and firemen, their widows and children and dependent fathers and mothers, and to create and perpetuate a board of trustees for the management and conduct thereof, and to pension members thereof after service of a term of years.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3140, Kentucky Statutes, Carroll's 1915 Edition, be, and it is amended and re-enacted so as to read as follows:

The number of firemen, policemen, detectives and officers of the police and fire department shall be such as the general council or commissioners, where the commission form of government prevails, may, from time to time, ordain; and the said general council or commissioners shall by ordinance, fix the salaries of the officers and employes and provide for their payment, and the payment of other expenses, of each said departments.

§ 2. That Section 3138, Kentucky Statutes, Carroll's 1915 Edition, be, and it is amended and re-enacted so as to read as follows:

Sub-section 1. Wherever in this section the term general council, or commissioners, or board, is employed, it shall be construed to mean the legislative branch of the city government.

Sub-section 2. That the commissioners shall have full control over the police and fire departments of the city, together with all the property and paraphernalia belonging thereto and are empowered to ordain and put into execution such by-laws, rules and regulations for the government of each of said departments as may be deemed expedient; to prescribe the qualifications of the members and officers of each

department; to appoint a chief of police and all policemen; a chief of the fire department and all subordinates; to prescribe their duties, and to grade the officers of each department and prescribe their several duties.

Sub-section 3. The commissioners shall require all applicants for appointment as members of the police force or fire department to be examined as to their qualifications to fill the office of policeman or fireman, and as to his knowledge of the English language and as to the law and rules governing the duties of policemen or firemen. Each member of the police force or fire department, shall be a qualified voter of the city in which he is appointed and be able to read and write and understand the English language, and to have such other qualifications as may be prescribed.

No person shall be appointed a member or officer of the police force or fire department unless he is well known to be a man of sobriety and integrity and has been, and is, an orderly, law-abiding citizen, nor shall any person be appointed a member or officer of said force or fire department on account of any political partisan service rendered by him, or on account of political sentiment or affiliations, nor shall any officer or member of said force or fire department be removed or discharged or reduced in grade, or in pay, for any political partisan opinion. Their appointments and continuance upon the police force and fire department shall depend solely upon their ability and willingness to enforce the law, and comply with the rules of the police or fire department. The examination and qualifications provided for in this act shall not apply to the members of the police force or fire department at this time, but all members of the police force or fire department at the time this law pursuant to this act the number of policemen and firemen, and all members thereof, who may hereafter be appointed, shall hold said position during good behavior.

Sub-section 4. No member or officer of the police force or fire department shall be removed from the force or fire department, reduced in grade, or pay, upon any reason except inefficiency, misconduct, insubordination or violation of law or rules adopted by the commissioners. Any person may prefer charges against an officer or member of the police

force or fire department, which must be filed in the office of the mayor, who shall thereupon communicate said charges without delay to the other members of the said board. Said charges must be written, signed by the person making said charges, and must set out with clearness and distinctness each and every charge. It shall be the duty of the mayor, whenever probable cause appears, to prefer charges against any member or officer of the police force or fire department, whom he believes to have been guilty of any conduct justifying his removal or punishment, in the interest of public order. The charges filed by the mayor shall be written and shall set out with distinctness and clearness the charges made, and upon the hearing of any charges, as hereinafter provided, all said charges shall be considered traversed, and put in issue, and the trial shall be confined to these issues so presented. All charges against members or officers of the police force or fire department shall be forthwith filed by the mayor with the clerk of said board, and within three days after said filing, the commissioners shall proceed to hear and examine said charges; provided two days before said hearing the officer or member of the police force or fire department accused has been served with a copy of said charges, and a statement of the day, place and hour at which and when the hearing of said charges shall begin. The person accused may, however, in writing waive the services of said charges, and demand trial within three days after said charges are filed with the clerk of said board. The board will have the power to summons and compel the attendance of witnesses at all hearings, or sittings, by said board upon subpoena, issued by the clerk of said board and served upon said witnesses by any officer authorized to serve subpoenas from any court of justice in the county, and said board shall have the power of a justice of the peace, to punish for contempt. The officer or member of the police force or fire department accused shall have the right to have subpoened in his behalf any witness he may desire, upon furnishing their names to the clerk of said board, and shall be reduced in writing as a judgment, and shall be entered in a book to be kept for that purpose, and the written charges filed in the matter shall also be recorded in full in said

book immediately preceding the record of finding of said board.

In cases where the mayor has probable cause to believe that the officer or member of police force or fire department may be guilty of any conduct justifying removal or punishment he may suspend said officer or member from duty, or from both pay and duty, pending said trial, and said officer or member shall not be placed on duty, or allowed pay thereafter, until the charges are heard by the board. The board shall fix punishment against an officer or member of the police force or fire department, found guilty of any charge under this statute, at a reprimand or at a fine not exceeding one hundred dollars or suspension at any length of time in their judgment not to exceed six months or by reducing the grade, if the accused be an officer, or by combining any two or more of said punishments, or removal or dismissal from the service of either officer or member of the force or fire department. No officer or member of the police force or fire department except as provided in this act, shall be fined, reprimanded, removed, suspended or dismissed from the police or fire departments until written charges have been made or preferred against him, and trial had as herein provided.

Sub-section 5. Any officer or member of the police force or fire department who shall be found guilty by the board of any charge, as herein above provided, shall have the right to appeal to the circuit court of the county in which said city may be located, provided the punishment be a fine of twenty dollars or more, or is suspension of more than 10 days, or reducing the grade of an officer, or a removal or dismissal from the police force or fire department and the enforcement of the judgment of said board under said charges shall be suspended pending said appeal, provided the accused executes a supersedeas bond, in which he shall undertake to repay the city all costs of said appeal and all salary he may receive from the time of said judgment pending said appeal. Upon the request of the party accused, the clerk of the board shall file certified copy of the charges made, and of the judgment or the finding of the board in the circuit court, which transcript having been filed, the cause shall be docketed in the circuit court

and tried de novo by the judge of said court, but upon demand of the accused, or by the city, said cause shall be tried before a jury. Should the clerk of said board fail to certify and transmit the transcript aforesaid to the circuit court within five days after the request is made for same, then the party aggrieved may file an affidavit in the said circuit court, setting out as fully as possible the charges made, the time of the trial by said court, and the judgment of said board, together with the statements of the fact that demand for transcript had been made upon clerk of said board more than five days before the filing of said affidavit.

Upon the filing of said affidavit in the circuit court said cause shall be docketed in said court and the circuit court is hereby authorized to compel the filing of said transcript by said clerk, by entering the proper mandatory orders, and by fine and imprisonment, as in other cases of contempt. An appeal will lie from the judgment of the circuit court to the Court of Appeals, as in other cases, provided the punishment fixed by the board be suspension for more than sixty days, reducing the grade of an officer, removal or dismissal from the force.

§ 3. There shall be organized in connection with said police and fire departments a board to be known as the board of trustees of the police and firemen's pension fund, which shall be composed of the mayor of the city, city treasurer, fire chief and police chief, and said board shall select from their number a president and secretary. The city treasurer shall be ex-officio treasurer of said board and the funds coming into his hands.

§ 4. There may be levied and set apart by the board of commissioners of cities of the second class a tax for the year nineteen hundred and twenty-one and for each and every year thereafter, not exceeding one cent on each one hundred dollars of value of the taxable property in said cities for said year as fund for the pensioning of any policeman or fireman who has served continuously in the police or fire departments, for at least a period of twenty years and who shall retire from the service after said period, and for the further purpose of pensioning any member of the police or fire departments who may become permanently crippled while in the service and on

duty, and for the further purpose of pensioning the widows or dependents, children under the age of 14 years, or either of them, of any member of either department who may lose his life while in the service and on active duty. And all moneys withheld from the officers, member or employes of the police or fire departments, as punishment for any breach of discipline, misconduct or violation of the rules and regulations for said department shall be paid into said fund each month and credited upon the pay roll of the department, payable to said fund for that purpose; and all fines imposed by the board of public safety upon officers, member or employes of the police or fire department by way of discipline and collectible from pay or salary, and all rewards, fees, proceeds of gifts and emoluments that may be paid or given on account of extraordinary service of any officer, member or employe of the department (except by such members) shall be paid in the treasury to the credit of the police and firemen's pension fund. The payment so made, together with the tax levy aforesaid, shall constitute and be kept as a fund to be called the police and firemen's pension fund, and the said board heretofore designated is hereby declared to be the trustee of said fund, and they shall have power, and it shall be their duty, from time to time, to invest the same in whole or in part, as they shall deem most advantageous for the objects of the said fund; and they are empowered to make all the necessary contracts and to take all the necessary remedies in the premises.

§ 5. Said board shall have exclusive control and management of the said fund, and all moneys donated, paid, or assessed for the relief or pensioning retired, crippled or disabled members of the police and fireman department, or the widows or dependent children under the age of 14 years or dependent fathers or mothers, of any member of either department killed in the service and while on duty, and may assess each member of the police and fire departments one per centum of the salary of such member, to be deducted and withheld from the monthly pay of each member so assessed, the same to be placed by the treasurer of each city to the credit of such fund, subject to the order of such board.

§ 6. The said board shall have all needful rules and regulations for its government in the discharge of its duties,

and shall hear and decide all applications for relief or pensions under this act, and its decision on such applications shall be final and conclusive, and not subject to revision or reversal, except by said board, and a record shall be kept of all the meetings and the proceedings of said board.

§ 7. The said board of trustees shall have the power to draw such pension fund from the treasury and may invest the same, or any part thereof, in the name of the board of trustees of the police and firemen's pension fund, in interest bearing bonds of the United States or the State of Kentucky, or any city of the second class in the State of Kentucky, and all such securities shall be deposited with the treasurer of said city as ex-officio treasurer of said board, and shall be subject to the order of said board.

§ 8. Both the principal and interest of said pension fund shall be applicable to the payment of pensions under the act.

§ 9. If any officer, member or employe of the police or fire departments, while in the performance of his duty, becomes temporarily, totally disabled, physically or mentally for services by reason of services in such department, the board of trustees shall order the payment to such disabled officer, member or employe, monthly, during such disability, not to exceed one year, from such pension fund a sum not exceeding $60.00 per month, the said amount to be determined by the board of trustees, provided such officer, member or employe during the same period, is paid no salary as such officer, member or employe. If any officer, member or employe of the police or fire departments, while in the performance of his duty, becomes mentally or physically permanently disabled by reason of service in such department, so as to render necessary his retirement from service in said department, said board of trustees shall retire such disabled member from service in such police or fire department. Provided, no such retirement on account of disability shall occur unless said member has contracted said disability, while on duty in the service of said police or fire department; and upon such retirement the board of trustees shall order the payment to such disabled member of such police or fire department, monthly, from such pension fund, a sum equal to

one-half of the monthly compensation allowed to such officer, member or employe as salary at the date of his retirement. If any member of said police or fire department shall, while in the performance of his duty, be killed or die as a result of an injury received in the line of his duty or of any disease contracted by reason of his occupation, or shall die from any cause whatsoever, as a result of his services in said department, and while in said service, or after having served in the service for fifteen consecutive years shall die while in the service or on the retired list from any cause, and shall leave a widow or a child or children under the age of 14 years, said board of trustees shall direct the payment from said pension fund, monthly to such widow, while unmarried, of thirty dollars, and for each child until it reaches the age of 14 years, six dollars, and to the dependent father and mother, if said deceased member was unmarried and childless, thirty dollars, the pension to the father and mother to be paid as follows: If the father be dead, the mother shall receive the entire thirty dollars, and if the mother be dead, the father shall receive the entire thirty dollars, if both be living, each shall receive fifteen dollars.

§ 10. If, at any time, there shall not be sufficient money in such pension fund to pay each person entitled to the benefit thereof, the amount per month as herein provided, then an equal percentage of such monthly payments shall be made to each beneficiary until the said fund shall be replenished to warrant the payment in full to each of said beneficiaries.

§ 11. Any member of the police or fire department of such cities having served twenty years or more consecutively in such police or fire department, may make application to be relieved from such police or fire department, and if his application is granted, the said board of trustees shall order and direct that such persons be paid monthly pension equal to one-half of the amount of the salary said person is or was in receipt of as a member of said department at the time of granting application.

§ 12. Whenever an active or retired policeman or fireman shall die as aforesaid, the board of trustees may appro-

priate from the fund a sum not exceeding one hundred dollars to the widow or family for funeral expenses.

§ 13. No person shall be entitled to receive any pension from the said fund except a regularly retired member or a regular member in said police or fire department, his widow or children under the age of 14 years, or dependent mother or father.

§ 14. The treasurer of the board of trustees shall be the custodian of said pension fund, and shall secure and safely keep the same, subject to the control and direction of the board, and shall keep his books and accounts concerning said fund in such manner as may be prescribed by the board and the said books and accounts shall always be subject to the inspection of the board or any member thereof. The treasurer shall, within ten days after his election, execute a bond to the city with good and sufficient surety, in such penal sum as the board shall direct, to be approved by the board, conditioned for the faithful performance of the duties of his office, and that he will safely keep and well and truthfully account for all money and properties which may come into his hands as such treasurer, and that, upon the expiration of his term of office he will surrender and deliver to his successor all bonds, securities, and all unexpended moneys or other properties which may have come into his hands as treasurer of said fund. Said bond shall be filed in the office of the treasurer as other bonds, and may be sued on in the name of the city, for the use of said board or in the name of said board, or any person or persons injured by a breach thereof.

§ 15. It shall be the duty of such officer or officers of the city as are designated by law to draw warrants on the treasurer of said city, on request in writing by said board of trustees, to draw warrants on the treasurer of said city payable to the treasurer of said board of trustees for all funds belonging to said pension fund as aforesaid.

§ 16. All moneys ordered to be paid from said pension fund to any person or persons shall be paid by the treasurer of the board of trustees only upon warrant signed by the president of said board and countersigned by the secretary thereof, and no warrant shall be drawn except by order of the

board after having been duly entered on the records of the proceedings of the board.

§ 17. The board of trustees shall make a report to the board of commissioners of said city of the condition of said pension fund, on the last meeting in August in each and every year.

§ 18. No portion of said pension fund shall, before or after its order for distribution by the board of trustees to the persons entitled thereto, be held, seized, taken, subjected to or detained or levied upon by virtue of any attachment, execution, injunction writ, interlocutory or other order or decree, or any process or proceeding whatever issued out of or by any court of this State for the payment or satisfaction, in whole or in part, of any debt, damage, claim, demand or judgment against the beneficiary of said fund, but said fund shall be held and distributed for the purposes of this act, and for no other purpose whatever.

§ 19. It shall be the duty of the attorneys for the cities of the second class to give advice to the board of trustees of the police and firemen's pension fund in all matters pertaining to their duties and management of said fund whenever thereunto requested, and he shall represent and defend said board as its attorneys in all suits or actions at law or in equity that may be brought against it, and bring all suits and actions in its behalf that may be required or determined upon by said board.

§ 20. All acts or parts of acts in conflict herewith are hereby expressly repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Frank Kennard	H. G. Skiles
Sidney Alfrey	W. L. Kimbrough	S. G. Smith
L. H. Ballard	J. M. Knott	H. A. Spillman
H. H. Barnes	Dr. S. D. Laughlin	R. Lee Stewart
W. M. Boling	Hebron Lawrence	Wm. A. Stewart
Rodney G. Bryson	Joseph Lazarus	T. R. Stultz
W. T. Carner	Rev. J. A. Lee	John B. Thomas
J. F. Carr	Elmer Lusby	J. Mack Thompson
T. L. Caudel	R. C. Marcum	J. H. Thompson
Charles M. Ciarlo	A. J. McCandless	Dr. D. J. Travis
P. A. Day	R. L. McFarron	C. B. Truesdell
H. N. Dean	H. C. McLellen	John L. Trumbo
J. B. Denues	Harry J. Meyers	J. Wood Vance
J. M. Foster	Claude D. Minor	Fred C. VanHoose
Dr. T. H. Gamblin	John T. Murphy	Daniel Vose
B. J. Geohringer	Estill W. Neel	A. M. Wash
J. W. Geveden	Chas. A. Nelson	J. S. Webb
Dr. W. L. Gossett	T. P. Oliver	Dr. T. R. Welch
A. L. Hamilton	B. F. Reynolds	Gladstone Wesley
E. C. Hardin	Lee Rogers	W. G. Wheeler
Talbert Holliday	B. A. Roth	R. E. Wilborn
Adam W. Huff	Chas. R. Scott	V. M. Williamson
R. O. Huntsman	W. P. Scott	W. N. Winn
J. W. Johnson	E. E. Shannon	—73
Griffin Kelly	Dr. B. F. Shields	

Resolved that the title thereof be as aforesaid.

Mr. Barnes moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Dr. Gamblin moved that the House take up for consideration House Bill No. 187.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled House Bill No. 187.

House Bill No. 187. An Act to amend Section 165, Acts 1918, Section 4482 Kentucky Statutes, relating to levying of Tax for Graded Schools.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 165-a of Section 165 of the Common School Laws of the State of Kentucky, Acts of 1918, Section 4482 Kentucky Statutes, be amended by striking out the words twenty-five in line five of Section 165-a, Common School Laws of Kentucky, and by inserting in lieu thereof the word fifty, so that when said Section is amended it will read as follows:

"The Trustees in any graded school district in this State, when it is deemed necessary to raise an amount above that which may be raised by a levy of fifty cents on each one hundred dollars worth of taxable property and one dollar and fifty cents poll, may levy an additional tax not to exceed fifty cents on each one hundred dollars worth of taxable property in the district, for the purpose of maintaining the school and erecting and repairing buildings. Such tax may be levied at any time before the close of the fiscal year in which the last county assessment shall have been made, and a record of such levy shall be entered on the records of said trustees, and show the amount thereof and the number of years for which same is to run, and shall be collected in the same manner as other taxes in graded school districts."

Mr. Laughlin offered Amendment No. 1 as follows:

To amend House Bill No. 187.

By striking out in line eleven (11) page two (2) the word "fifty," and insert in lieu thereof, the words "seventy-five."

Said amendment was adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Sidney Alfrey	Joseph Lazarus	Dr. B. F. Shields
H. H. Barnes	Rev. J. A. Lee	H. G. Skiles
S. M. Bennett	Elmer Lusby	S. G. Smith
J. F. Carr	R. C. Marcum	R. Lee Stewart
H. N. Dean	I. S. Mason	Wm. A. Stewart
J. B. Denues	A. J. McCandless	T. R. Stultz
J. M. Foster	R. L. McFarron	John B. Thomas
Dr. T. H. Gamblin	H. C. McLellen	J. Mack Thompson
B. J. Geohringer	Harry J. Meyers	J. H. Thompson
E. C. Hardin	Claude D. Minor	Dr. D. J. Travis
Talbert Holliday	Mack J. Morgan	C. B. Truesdell
Adam W. Huff	John T. Murphy	John L. Trumbo
R. O. Huntsman	Estill W. Neel	Daniel Vose
J. W. Johnson	Chas. A. Nelson	G. C. Waggoner
Henry Kaufman	T. P. Oliver	A. M. Wash
Griffin Kelly	Sherman Robbins	J. S. Webb
Frank Kennard	B. A. Roth	Dr. T. R. Welch
W. L. Kimbrough	Dr. Lewis Ryans	Gladstone Wesley
J. M. Knott	Chas. R. Scott	R. E. Wilborn
Dr. S. D. Laughlin	W. P. Scott	V. M. Williamson
Hebron Lawrence	E. E. Shannon	W. N. Winn

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Those who voted in the negative were:

Lon Adams	T. L. Caudel	B. F. Reynolds
W. M. Boling	P. A. Day	

—5

Resolved that the title thereof be as aforesaid:

Mr. Laughlin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson moved that printed copy of House Bill No. 382 be substituted for the original bill which has been misplaced.

Said motion was agreed to.

Mr. Webb moved to take up for consideration House Bill No. 67.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled House Bill No. 67.

House Bill No. 67. An Act to amend the charter of cities of the fourth class, being article 5, Chapter LXXXIX, Kentucky Statutes, by providing for the election of the mayor and councilmen by the voters of the city at large, and to repeal.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3484, Kentucky Statutes, being part of subdivision 2, article 5, Chapter LXXXIX, Kentucky Statutes, be, and the same is, hereby repealed, amended and reenacted to read as follows:

Section 3484. Mayor and Council—Qualifications—Mayor and Councilmen Elected or Appointed.—The legislative power shall be vested in the mayor and not less than six nor more than twelve councilmen, as may be provided by ordinance; the members of the council shall be qualified voters in the city, residents of the ward for which they stand for at least six months prior to their election, if said city is divided into wards, hold no other civil office, nor be in arrears to said city for any money collected or withheld without settlement or quietus therefor. The absence of any of these qualifications shall render a person ineligible as a member of such board, and it shall be the duty of the council so to declare, and proceed to fill the vacancy. The mayor shall be elected by the people of the city at large. Any division into wards of any city of the fourth class heretofore made shall be null and void from and after the passage of this law, but any city council may, by ordinance adopted by the unanimous vote of all the elected, qualified and acting members of the council, at any regular meeting, proceed to divide the city anew into such number of wards, not exceeding twelve, as may be provided by said ordinance, but if in any city of the fourth class such division into wards is not hereafter made as herein prescribed, then in such city, the council shall be elected from the city at large.

Mr. Wesley offered Amendment No. 1 as follows:

Amend House Bill 67.

Amend Section 1, line 13, page 2, House Bill 67 by inserting after the word "Mayor" and before the word "shall" the words "City Clerk and City Assessor."

Said amendment was adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of the bill at length being dispensed with.

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Sidney Alfrey	R. C. Marcum	Wm. A. Stewart
H. H. Barnes	I. S. Mason	T. R. Stultz
H. N. Dean	Harry J. Meyers	C. B. Truesdell
J. B. Denues	John T. Murphy	John L. Trumbo
B. J. Geohringer	Estill W. Neel	Daniel Vose
Adam W. Huff	T. C. Pryse	G. C. Waggoner
R. O. Huntsman	Sherman Robbins	J. S. Webb
Henry Kaufman	B. A. Roth	Gladstone Wesley
W. L. Kimbrough	Dr. Lewis Ryans	V. M. Williamson
Joseph Lazarus	R. Lee Stewart	—29

Those who voted in the negative were:

Lon Adams	Griffin Kelly	H. G. Skiles
L. H. Ballard	Frank Kennard	S. G. Smith
S. M. Bennett	J. M. Knott	H. A. Spillman
W. M. Boling	Dr. S. D. Laughlin	John W. Swope
J. F. Carr	Hebron Lawrence	John B. Thomas
T. L. Caudel	Elmer Lusby	J. Mack Thompson
P. A. Day	A. J. McCandless	J. H. Thompson
Dr. T. H. Gamblin	Claude D. Minor	Dr. D. J. Travis
Dr. W. L. Gossett	Chas. A. Nelson	A. M. Wash
E. C. Hardin	B. F. Reynolds	Dr. T. R. Welch
Talbert Holliday	W. P. Scott	W. N. Winn
J. W. Johnson	Dr. B. F. Shields	—35

So said bill was rejected.

Mr. Smith moved that the vote by which said bill was rejected be reconsidered.

Mr. Welch moved that the motion lie on the table.

A division was called for.

Upon a division, the motion of Mr. Welch that the motion to reconsider lie on the table was adopted.

Yeas 36 and nays 23.

So the motion to reconsider was tabled.

Mr. Neel moved that Senate Bill No. 21 be made a special order for Thursday, February 26, 1920, at 11:30 A. M.

Mr. Laughlin moved to take up for consideration House Bill No. 332.

Said motion was agreed to.

Mr. Alfrey moved that the House do now adjourn.

Said motion was adopted.

Then the House at 4:55 P. M. adjourned.

THURSDAY, FEBRUARY 26, 1920.

The House was called to order at 10:00 A. M. by the Speaker, Mr. Bosworth.

The House was opened by prayer by Father O'Dwyer, of the Catholic Church.

The roll call to ascertain the presence of a quorum resulted as follows:

Sidney Alfrey
L. H. Ballard
S. M. Bennett
J. M. Billiter
W. M. Boling
Jo F. Bosworth
Roy J. Cain
W. T. Carner
J. F. Carr
T. L. Caudel
B. L. Cox
J. S. Cruse
P. A. Day
H. N. Dean
J. B. Denues
H. C. Duffy
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
E. C. Hardin
Talbert Holliday
D. J. Howard
A. R. Hudson
Adam W. Huff
J. W. Johnson
Henry Kaufman
Griffin Kelly
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Rev. J. A. Lee
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
S. C. Ray
B. F. Reynolds
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
Chas. R. Scott
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
S. G. Smith
H. A. Spillman
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John W. Swope
John B. Thomas
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
Geo. C. Waggoner
A. M. Wash
J. S. Webb
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
W. N. Winn

Present 82

On motion of Mr. Lazarus the reading of the Journal of yesterday was dispensed with and the Journal was approved.

The House took up for consideration from the Calendar bills of the following titles, viz.:

House Bill 346. An Act to amend and re-enact Section 911 of the Kentucky Statutes, Carroll's Edition of 1915, relating to official indexers.

House Bill 402. An Act to amend and re-enact Sections 3 and 4 of the Act approved March 18, 1912, Chapter CXXII, page 428, Acts of 1912, entitled: "An Act to repeal Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 of an Act entitled, 'An Act to amend "An Act for the government of cities of the first class, " approved July 1, 1893, for the better government, administration and disposition and discipline of the fire department, and to create and perpetuate a pension fund for disabled fireman, their widows and children, and dependent fathers and mothers, and to create and perpetuate a Board of Trustees for the management and conduct thereof, and to pension members thereof after a service of a term of years,' approved February 19, 1902, and to provide for the creation, control and disposition, through trustees, of a fund to be used in pensioning, under certain conditions, firemen and the families of deceased firemen, in cities of the first class;" said Sections 3 and 4 of said Act being Sub-sections 17 and 18 of Section 2896-a of the Kentucky Statutes, Carroll's Edition of 1915.

House Bill 403. An Act to amend and re-enact Sections 3 and 4 of the Act approved March 18, 1912, Chapter CXII, page 372, Acts of 1912, entitled: "An Act to repeal 'An Act providing for the creation, control, and disposition of a fund to be used in pensioning, under certain conditions, policemen, and the families of deceased policemen, in cities of the first class,' approved March 3, 1904, and to provide for the appointment of trustees and the raising or creation, the management and disbursement, of a fund to be employed in pension-

ing under conditions provided, policemen and the families of deceased policemen in cities of the first class;" said Sections 3 and 4 of said Act being Sub-sections 3 and 4 of Section 2872-a, Kentucky Statutes, Carroll's Edition of 1915.

House Bill 95. An Act to provide for wash rooms in certain employments to protect the health of employees and secure public comfort.

House Bill 52. An Act to require corporations, associations, partnerships or individuals employing ten or more persons, and issuing script or check, to redeem the same in lawful money of the United States upon the third Monday in each calendar month.

House Bill 203. An Act to amend and re-enact Section 1061-a, of the Kentucky Statutes, the same being an Act of the General Assembly of the Commonwealth of Kentucky approved on the 18th day of March, 1914, entitled: "An Act to provide a stenographer for the county judge in counties in the Commonwealth containing a population of two thousand or over," this amendment providing for a stenographer for the county judge of other counties.

House Bill 24. An Act to amend Section 1772 of the Kentucky Statutes concerning salaries of deputy jailers.

House Bill 467. An Act imposing a license tax on race tracks, at which races are run for purses or prizes, under the jurisdiction of the Kentucky State Racing Commission, and which license tax is in lieu of all other license, income, excise, special or franchise tax to the State of Kentucky, or any county, city, town, municipality or other political sub-division thereof; and directing the determining, fixing, announcing and publishing the number, value and amount of the purses and prizes to be offered at all race meetings.

Senate Bill 24. An Act to amend Section 2625, of the Kentucky Statutes of 1915, compiled by the Honorable John D. Carroll.

House Bill 318. An Act to fix the regular salaries of circuit judges in addition to their compensation as special judges.

House Bill 207. An Act for the benefit of the clerks of the circuit courts of this Commonwealth in counties having a population of less than 30,000 and prescribing a salary therefor and the method of payment of same.

House Bill 231. An Act to amend Section 4642 of Carroll's Kentucky Statutes relating to fees of official court reporters.

House Bill 422. An Act to amend Section 3 of Chapter I of the Acts of the General Assembly of 1916, relating to the granting of free passes or free transportation by the common carriers of this Commonwealth.

House Bill 353. An Act to grant immunity to all persons who have failed to assess intangible property in previous years provided such property is assessed by the owners thereof for taxation as of July 1, 1920.

House Bill 2. An Act to amend and re-enact Section 4019-a-10 Kentucky Statutes, Carroll's Edition, 1918, relating to taxation.

House Bill 323. An Act relating to vehicles, regulating their use and operation upon the public highways in this Commonwealth; providing for the registration of automobiles, and the registration of operators thereof; the method of registrations; to prevent illegal traffic therein; providing penalties for the violations of provisions of the Act, and repealing any and all conflicting laws.

House Bill 376. An Act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio River and its Kentucky

tributaries belonging to or controlled by the State of Kentucky; and to regulate the catching of said shells and to have authority to co-operate with the United States Government in its propagation of mussels, and imposing penalties for violation of the provisions of this Act.

House Bill 359. An Act requiring the teaching in public schools of humane treatment of animals.

House Bill 135. An Act to protect the health, morals and welfare of women and minors employed in industry by establishing a minimum wage commission and providing for the determination of minimum wages for women and minors.

House Bill 381. An Act relating to interest and usury, and defining the maximum contract rate of interest which shall be lawful and amending Section 2218 of Carroll's Kentucky Statutes.

House Bill 424. An Act to incorporate the Kentucky State Horticultural Society, to define its powers and duties and appropriate $5,000 for the execution of its purposes.

House Bill 391. An Act to amend and re-enact Sections 929 and 934 of Carroll's Kentucky Statutes, Edition of 1915.

House Bill 129. An Act relating to revenue and taxation.

House Bill 287. An Act to provide for the payment of premiums on bonds executed by State officers elected by the voters of the State at large.

House Bill 379. An Act to exempt from tax one dog to each housekeeper actually residing upon a farm and engaged in farming.

House Bill 415. An Act relating to revenue and taxation, requiring an excise or license tax to be paid on all gasoline or any substitute therefor sold at retail in this State and re-

quiring any person engaging in business of selling gasoline or any substitute therefor at retail to pay said tax for the privilege of engaging in said business; providing the manner of collecting said tax, requiring reports and fixing fines and penalties for violations of the Act.

House Bill 416. An Act to amend and re-enact Section 2739-g-2, Kentucky Statutes, Volume 3, Edition 1915, which was originally Section 2 of Chapter LXIX, Acts of 1914, and which was amended by Chapter XXVII, Acts of 1918, relating to the registration of and license of motor vehicles.

House Bill 488. An Act to amend Section 4337 of Volume 2 of Carroll's 1915 Edition of the Kentucky Statutes.

House Bill 492. An Act authorizing the fiscal courts of certain counties, and authorizing certain municipalities, to appropriate money for the purpose of securing the necessary areas of water front and suitable water terminals at all towns and landings along certain parts of the Cumberland River adequate for traffic, same to be open to the public equally on terms satisfactory to the Secretary of War of the United States.

Senate Bill 61. An Act to amend and re-enact Section 1763 of Kentucky Statutes, Carroll's Edition, 1915, entitled: "Salary of deputies—maximum allowed, and increasing the salaries of such deputies."

House Bill 475. An Act providing for the erection of monuments in the various counties of this Commonwealth in honor of soldiers, sailors, marines and Red Cross nurses who died in the recent war with Germany and Austro-Hungary; appropriating money therefor, providing land for which such purposes and manner and method in which monuments are to be erected.

House Bill 273. An Act to repeal and re-enact Chapter CLXVIII, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled: "An Act making it unlawful to buy, bargain, sell, loan, own, have in possession or to operate, or to aid, abet, assist, or encourage in the operation, or to harbor a person in the possession or in the operation of an illicit or 'moonshine' still and providing a penalty for any violation of this Act; and further fixing the burden of proof, and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this Act, out of the county levy of the county in which the indictment may be returned."

House Bill 472. An Act to promote the production of eggs in this Commonwealth by requiring the candling of all eggs intended for market during certain seasons and providing penalties for the violation thereof.

House Bill 471. An Act to amend Section 4 of Chapter CXVIII of the Session Acts of 1918, entitled: "An Act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack or bull in this Commonwealth, fixing the date of the expiration of licenses provided for, and providing the manner of registering and recording the breed, name, age, color, sire and dam of the animal to be licensed and fixing a fee for such registration, and fixing penalties for failure to provide licenses."

House Bill 470. An Act to amend and re-enact Section 11 of Chapter LXIX of the Acts of 1918, entitled, "An Act to suppress, prevent, control and eradicate communicable diseases in live stock, to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing Section 63a of Article 2, Chapter V, Carroll's Edition, Kentucky Statutes.

House Bill 460. An Act to amend, enlarge, and re-enact Section 3028, Kentucky Statutes, Carroll's Edition of 1915 (being Section 242 of the Act approved July 1, 1893, entitled,

"An Act for the government of cities of the first class") relating to the sale of liquor by druggists and apothecaries, in cities of the first class, upon the prescriptions of physicians.

House Bill 406. An Act to amend Section 2944 of the Kentucky Statutes, relating to increase in salaries of Deputy bailiffs of City Court of Louisville, Kentucky.

House Bill 407. An Act to amend and re-enact Section 2931 of the Kentucky Statutes, relating to salary of Deputy Clerks of City Courts in cities of the first class.

House Bill 447. An Act to enable any city of the first class to provide for constructing, erecting, and equipping buildings and grounds of the College of Arts and Sciences of its Municipal University.

House Bill 496. An Act to allow an increase in the tax for the Parental Home and School Commission in counties containing a city of the first class and for that purpose to amend and re-enact Section 4 of Chapter CVI of the Acts of the General Assembly of 1912, being Sub-section 4 of Section 938b of the Kentucky Statutes, Carroll's 1915 Edition.

Senate Bill 127. An Act to amend and re-enact Sections 3 and 5 of an Act entitled "An Act to create the Kentucky Library Commission, to define its powers and duties and to provide for its expenses," which Act is Chapter XXVII, Acts 1910, approved March 17, 1910.

House Bill 432. An Act amending Article 12, Sub-section 6 of Section 1550 of Carroll's Kentucky Statutes, 1915 edition, re-enacting same and providing therein that no applicant or candidate for any public office within the State of Kentucky who shall have been defeated for nomination, shall thereafter be a candidate for the same office in the general election of the same year in which said candidate aspired or attempted to be nominated under the aforesaid Sub-section 6, Section 1550, of said Statutes.

House Bill 464. An Act to amend and re-enact Sub-sections 14 and 29 of Section 217 (a) of the Kentucky Statutes, being Sections 14 and 29 of Chapter XVIII of the Acts of 1906, as amended by Chapter XXVIII of the Acts of 1908, relating to the amount to be charged and recovered for the board of pay patients at the several charitable institutions maintained by the State.

Ordered that said bills be read the second time.

The provision of the Constitution, as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their title.

Ordered, that said bills be placed in the Orders of the Day.

Mr. Duffy moved to postpone the special order until after motion hour.

Said motion was agreed to.

Then Mr. Duffy moved to call from the hands of the committee House Bill No. 372 on the ground that said committee had had said bill and refused to report same for an unreasonable time.

Said motion was lost.

Mr. Hudson moved that House Bill No. 214 be made a special order for March 2nd at 11:30 A. M.

Said motion was agreed to.

The following bills were sent to the Senate:

House Bills 354, 158, 187, 374; Senate Bill 18 in House (substituted for House Bill 206).

The following bills were delivered to the committees to which they had been referred:

House Bill 501, Senate Bills 45, 167, 133, 90, 166, 103 and 132.

The following pair was announced:

Mr. Ciarlo, who will be absent with Mr. Geveden, on the Hand Book Bill.

Mr. Ciarlo, if present, would vote against the bill.

A message was received from the Senate as follows:

"In Senate

February 25, 1920.

Resolved, That House Bill 218 do pass with the following amendments, viz.:

(1) By adding after the word "Board" in line 29, Section three, the following: "Provided, however, that the authority herein granted shall not apply to purely educational institutions."

(2) By adding after the word "Organization" in line one of Section three the following: "supported in whole or in part by appropriations from the State Treasury."

Attest: W. B. O'Connell,

Chief Clerk of the Senate."

Mr. Lazarus moved that the House do concur in the foregoing amendments.

Said motion was adopted, and said amendments were concurred in.

Then the House took up for consideration House Bill No. 218 as amended.

For copy of bill see Journal —— page ——

Then the yeas and nays being taken on the passage of said bill were as follows:

Those who voted in the affirmative were:

Lon Adams	W. L. Kimbrough	Dr. B. F. Shields
L. H. Ballard	J. M. Knott	H. G. Skiles
S. M. Bennett	Dr. S. D. Laughlin	S. G. Smith
J. M. Billiter	Hebron Lawrence	H. A. Spillman
W. M. Boling	Joseph Lazarus	R. Lee Stewart
J. F. Carr	Rev. J. A. Lee	Wm. A. Stewart
T. L. Caudel	R. C. Marcum	John T. E. Stites
J. S. Cruse	I. S. Mason	Frank L. Strange
P. A. Day	A. J. McCandless	T. R. Stultz
H. N. Dean	R. L. McFarron	John W. Swope
J. B. Denues	Harry J. Meyers	John B. Thomas
H. C. Duffy	Mack J. Morgan	J. Mack Thompson
J. M. Foster	John T. Murphy	C. B. Truesdell
Dr. T. H. Gamblin	Estill W. Neel	John L. Trumbo
B. J. Geohringer	T. P. Oliver	Fred C. VanHoose
J. W. Geveden	T. C. Pryse	Daniel Vose
Dr. W. L. Gossett	B. F. Reynolds	Geo. C. Waggoner
E. C. Hardin	Sherman Robbins	A. M. Wash
Talbert Holliday	Lee Rogers	J. S. Webb
D. J. Howard	B. A. Roth	Gladstone Wesley
A. R. Hudson	Chas. R. Scott	W. G. Wheeler
Adam W. Huff	W. P. Scott	R. E. Wilborn
Henry Kaufman	E. E. Shannon	W. N. Winn

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Those who voted in the negative were:

J. W. Johnson	Chas. A. Nelson	Dr. D. J. Travis

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So said bill as amended was passed.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Resolved, That the title thereof be as aforesaid.

Ordered, that said bill be enrolled.

Then the House took up for consideration from the Orders of the Day the special order, a bill entitled Senate Bill No. 66.

Senate Bill No. 66. An Act prohibiting betting or wagering on horse races, other than at licensed race tracks, or within enclosures during regular meetings wherein running, trotting or pacing races are being conducted by associations regularly organized for that purpose and prescribing a penalty therefor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

It shall be unlawful for any person, either for himself or as agent or employe of another, to bet, wager or hazard money or anything of value on a horse race run or to be run or advertised, posted or reported as being run or about to be run, at any race track in or out of this State, and any person so offending shall upon conviction be confined in the county jail not less than one nor more than twelve months.

It shall be unlawful for any person either for himself or as agent or employe of another, to engage in the business or occupation of receiving, making, transmitting or negotiating, either in person or by messenger, or by telephone or telegraph, bets, wagers or hazards on horse races run or to be run or advertised, posted or reported as being run or about to be run at any race track in or out of this State, and any person so offending shall, upon conviction, be confined in the county

jail for a period of not less than one nor more than twelve months.

In any prosecution under this Act, or in any investigation by an examining court or grand jury, it shall be no exemption for a witness that his testimony may criminate himself; but no such testimony given by the witness shall be used against him in any prosecution except for false swearing or perjury, and he shall be discharged from liability for any violation of the law upon his part disclosed by his testimony, nor shall any person against whom he testifies be permitted to prove similar violations upon the part of such witness.

In prosecutions under this Act it shall not be incumbent upon the Commonwealth to prove that the horse race upon which the bet or wager was made was actually run; proof that the wager or bet was made upon what purported to be or what was advertised, reported, stated or understood to be a horse race, shall be deemed sufficient to establish a prima facie case for the Commonwealth.

The provisions of this Act shall not apply to bets or wagers made within the enclosure of a race course or track licensed by the State Racing Commission during an authorized and licensed race meeting at such race track or course, and it shall not apply to bets or wagers made in an enclosure during regular meetings wherein running, trotting or pacing races are being conducted by associations regularly organized for that purpose.

All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Meyers offered Amendment No. 1 as follows:

"Amend by striking out all of lines 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24."

Said amendment was adopted.

Mr. Murphy moved to reconsider the vote by which said amendment was adopted.

Mr. Meyers moved to table this motion.

The yeas and nays being taken on said motion to table resulted as follows, to-wit:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	Lee Rogers
Sidney Alfrey	Robt. Humphreys	B. A. Roth
H. H. Barnes	J. W. Johnson	Frank L. Strange
Rodney G. Bryson	W. L. Kimbrough	T. R. Stultz
J. S. Cruse	Joseph Lazarus	J. Mack Thompson
H. C. Duffy	R. C. Marcum	C. B. Truesdell
J. M. Foster	H. C. McLellen	John L. Trumbo
Dr. T. H. Gamblin	Harry J. Meyers	Daniel Vose
B. J. Geohringer	Estill W. Neel	J. S. Webb
A. L. Hamilton	T. P. Oliver	Dr. T. R. Welch
Talbert Holliday	T. C. Pryse	V. M. Williamson

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Those who voted in the negative were:

L. H. Ballard	Dr. S. D. Laughlin	S. G. Smith
S. M. Bennett	Rev. J. A. Lee	H. A. Spillman
J. F. Carr	A. J. McCandless	John T. E. Stites
T. L. Caudel	Claude D. Minor	John W. Swope
B. L. Cox	John T. Murphy	John B. Thomas
P. A. Day	Chas. A. Nelson	J. H. Thompson
Dr. W. L. Gossett	B. F. Reynolds	Dr. D. J. Travis
E. C. Hardin	Sherman Robbins	Fred C. VanHoose
D. J. Howard	Chas. R. Scott	Geo. C. Waggoner
A. R. Hudson	W. P. Scott	A. M. Wash
Henry Kaufman	E. E. Shannon	Gladstone Wesley
Frank Kennard	Dr. B. F. Shields	W. G. Wheeler
J. M. Knott	H. G. Skiles	R. E. Wilborn

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So the motion to table was lost.

Then the motion to reconsider was agreed to.

Then the question was taken on the adoption of Mr. Meyer's amendment, Amendment No. 1.

And said amendment was disagreed to.

Mr. Meyers offered Amendment No. 2 as follows:

Amend Senate Bill No. 66 in the House.

By striking out in line 7 after word "receiving" all the balance of line 7—all of line 8 and up to the word, "bets" in line 9.

Said amendment was disagreed to.

Mr. Meyers offered Amendment No. 3 as follows:

Amend Senate Bill No. 66 in the House in line 12 by adding after word "months" "or by a fine not less than $50, or more than $500."

Said amendment was disagreed to.

Mr. Humphries offered Amendment No. 4 as follows:

Amendment to Senate Bill No. 66 in House.

Whereas, continuation of the custom of making handbooks on races constitutes a grave menace to the community, and the urgency of the situation which this Act seeks to correct is pressing, an emergency is hereby declared to exist, and this Act shall take effect on and after its passage and approval by the Governor.

Said amendment was disagreed to.

Dr. Welch moved the previous question.

The Chair stated, Shall the main question be now ordered?

Said question was decided in the affirmative.

Mr. Lazarus moved to reconsider the vote by which the previous question was ordered.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows:

Those who voted in the affirmative were:

L. H. Ballard	J. M. Knott	H. G. Skiles
S. M. Bennett	Dr. S. D. Laughlin	S. G. Smith
W. M. Boling	Hebron Lawrence	H. A. Spillman
J. F. Carr	Rev. J. A. Lee	John T. E. Stites
T. L. Caudel	A. J. McCandless	**T. R. Stultz**
B. L. Cox	H. C. McLellen	John W. Swope
P. A. Day	Claude D. Minor	John B. Thomas
H. N. Dean	Mack J. Morgan	Dr. D. J. Travis
J. B. Denues	John T. Murphy	Fred C. VanHoose
Dr. W. L. Gossett	Chas. A. Nelson	Geo. C. Waggoner
E. C. Hardin	Sherman Robbins	A. M. Wash
D. J. Howard	B. F. Reynolds	Gladstone Wesley
A. R. Hudson	Chas. R. Scott	W. G. Wheeler
R. O. Huntsman	W. P. Scott	R. E. Wilborn
Henry Kaufman	E. E. Shannon	—46
Frank Kennard	Dr. B. F. Shields	

Those who voted in the negative were:

Lon Adams	Talbert Holliday	Lee Rogers
Sidney Alfrey	Adam W. Huff	B. A. Roth
H. H. Barnes	Robt. Humphreys	Frank L. Strange
Rodney G. Bryson	J. W. Johnson	J. Mack Thompson
W. T. Carner	W. L. Kimbrough	C. B. Truesdell
J. S. Cruse	R. C. Marcum	John L. Trumbo
J. M. Foster	Harry J. Meyers	Daniel Vose
Dr. T. H. Gamblin	Estill W. Neel	J. S. Webb
B. J. Geohringer	T. P. Oliver	Dr. T. R. Welch
A. L. Hamilton	T. C. Pryse	V. M. Williamson

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Resolved that the title thereof be as aforesaid.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By unanimous consent, the following bills were introduced, ordered to be printed and referred to the committees indicated:

By Mr. Vance:

House Bill No. 513. An Act imposing an annual license tax upon every corporation, association, partnership and individual engaged in the business of manufacturing distilled spirits known as whisky or brandy or other species of double stamp spirits in this State, and upon every corporation, association, partnership and individual engaged in the business of owning and storing such spirits in bonded warehouses in this State, and in removing same therefrom for the purpose of sale, or for any other purpose; providing for monthly reports by distilleries and bonded warehousemen, for the purpose of ascertaining the amount of tax due; providing for monthly payments of the amount of license tax due; fixing a penalty for failure to make such monthly report and settle-

ment; providing for the manner of distribution of the taxes so collected; repealing all other license, franchise and excise taxes on the businesses covered by this act; and declaring an emergency to exist.

To Committee on Revenue and Taxation.

By Mr. Neel:

House Bill No. 514. An Act to amend and re-enact Subsection 2 of Section 1596-a of Kentucky Statutes, Carroll's Edition 1915, relating to County Election Commissioners.

To Committee on Kentucky Statutes.

The House took up for consideration from the Orders of the Day the special order, House Bill No. 380 entitled:

An Act to provide the pupils of the public schools of Kentucky with free textbooks and providing for rules governing the use and distribution and care thereof and providing for the payment thereof.

Mr. Wash moved to recommit said bill to the committee on Education No. 2 with leave to report at any time.

On a division, said motion was adopted.

Yeas 42, nays 29.

Mr. Lawrence moved that House Bill No. 434 be made a special order for Friday, February 27th, at 2 o'clock in the afternoon.

Said motion was agreed to.

Mr. Morgan moved that House Bill No. 435 be made a special order for Friday, the 27th, and that said bill shall be considered immediately after House Bill No. 434 shall have been disposed of.

Said motion was agreed to.

Mr. Bryson moved that House Bill No. 287 be taken up for consideration immediately after House Resolution 16, a special order for this morning, is disposed of.

Said motion was agreed to.

The House took up for consideration House Resolution No. 16.

Said Resolution reads as follows:

An Act to amend Section 145 of the Constitution.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That upon the concurrence of three-fifths of all members elected to each House, the yeas and nays being taken thereon and entered in full in their respective journals:

That Section 145 of the Constitution be and it is hereby amended and revised by striking out the word "male," being the second word in said Section, following the word "every," and preceding the word "citizen," and by adding the words "or she," following the word "he" and preceding the word "offers," so that the said section as amended will read as follows:

Every citizen of the United States of the age of twenty-one years, who has resided in the State one year, and in the county six months, and the precinct in which he or she offers to vote sixty days next preceding the election, shall be a voter in said precinct and not elsewhere, but the following persons are excepted and shall not have the right to vote:

1. Persons convicted in any court of competent jurisdiction of treason, or felony, or bribery, in an election, or of such high misdemeanor as the General Assembly may declare, shall operate as an exclusion from the right of suffrage; but persons hereby excluded may be restored to their civil rights by executive pardon.

2. Persons who, at the time of the election, are in confinement under the judgment of a court for some penal offense.

3. Idiots and insane persons.

This amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under Section 256 of the Constitution of Kentucky, and under Section 1459 of the edition of the Kentucky Statutes compiled and edited by John D. Carroll and issued in 1914.

Mr. Lazarus moved to recommit said Resolution to the committee on Constitutional Amendments with leave to report at any time.

On this motion, Mr. Hamilton and Mr. Lazarus demanded a roll call which was had and which resulted as follows:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	E. E. Shannon
H. H. Barnes	W. L. Kimbrough	R. Lee Stewart
S. M. Bennett	Hebron Lawrence	Wm. A. Stewart
J. M. Billiter	Joseph Lazarus	T. R. Stultz
Rodney G. Bryson	R. C. Marcum	C. B. Truesdell
W. T. Carner	A. J. McCandless	John L. Trumbo
J. F. Carr	R. L. McFarron	F. C. VanHoose
Charles M. Ciarlo	H. C. McLellen	Daniel Vose
H. N. Dean	Mack J. Morgan	A. M. Wash
J. B. Denues	Estill W. Neel	J. S. Webb
J. M. Foster	T. C. Pryse	Gladstone Wesley
B. J. Geohringer	Sherman Robbins	R. E. Wilborn
A. R. Hudson	Lee Rogers	V. M. Williamson
Adam W. Huff	B. A. Roth	—43
R. O. Huntsman	Dr. Lewis Ryans	

Those who voted in the negative were:

Lon Adams	Griffin Kelly	H. A. Spillman
W. M. Boling	Frank Kennard	John T. E. Stites

T. L. Caudel	J. M. Knott	Frank L. Strange
B. L. Cox	Dr. S. D. Laughlin	John B. Thomas
J. S. Cruse	Rev. J. A. Lee	J. Mack Thompson
P. A. Day	Claude D. Minor	J. H. Thompson
H. C. Duffy	John T. Murphy	Dr. D. J. Travis
J. W. Geveden	Chas. A. Nelson	J. Wood Vance
Dr. W. L. Gossett	T. P. Oliver	Geo. C. Waggoner
A. L. Hamilton	B. F. Reynolds	Dr. T. R. Welch
E. C. Hardin	Chas. R. Scott	W. G. Wheeler
D. J. Howard	W. P. Scott	W. N. Winn
Robt. Humphreys	Dr. B. F. Shields	—40
J. W. Johnson	H. G. Skiles	

So said Resolution was recommitted.

Mr. Lazarus moved that the vote by which said Resolution was recommitted be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled House Bill No. 287.

House Bill No. 287. An Act to provide for the payment of premiums on bonds executed by State officers elected by the voters of the State at large.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All State officers elected by the voters of the State at large and who, upon assuming their respective offices, are required under the law to execute a bond for the faithful discharge and performance of their duties, and who shall have such bond executed by any incorporated surety company authorized to do a surety business in the State of Kentucky, shall pay the premium on such bond, and the amount paid

for such premium shall be and become a valid claim against the State, and shall be paid in the same manner as other claims are paid: Provided, that in each case in which a claim is made for the payment of premium on the bond executed as above set out, the officer executing the bond as principal shall verify the claim by his affidavit, and that the amount of premium to be paid on the bond shall be approved by the Governor of this Commonwealth.

§ 2. This Act to take effect upon its passage and in due course of law.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz:

Those who voted in the affirmative were:

Sidney Alfrey	R. O. Huntsman	W. P. Scott
H. H. Barnes	Henry Kaufman	E. E. Shannon
Jo F. Bosworth	Hebron Lawrence	H. G. Skiles
Rodney G. Bryson	Joseph Lazarus	R. Lee Stewart
W. T. Carner	R. C. Marcum	Wm. A. Stewart
J. F. Carr	R. L. McFarron	John T. E. Stites
Charles M. Ciarlo	H. C. McLellen	T. R. Stultz
J. S. Cruse	Harry J. Meyers	J. H. Thompson
H. N. Dean	Claude D. Minor	C. B. Truesdell
J. B. Denues	Mack J. Morgan	John L. Trumbo
J. M. Foster	John T. Murphy	J. Wood Vance
Dr. T. H. Gamblin	Estill W. Neel	F. C. VanHoose
B. J. Geohringer	T. P. Oliver	Daniel Vose
A. L. Hamilton	T. C. Pryse	A. M. Wash
E. C. Hardin	Sherman Robbins	J. S. Webb
Talbert Holliday	Lee Rogers	Gladstone Wesley

A. R. Hudson	B. A. Roth	V. M. Williamson
Adam W. Huff	Dr. Lewis Ryans	W. N. Winn
Robt. Humphreys	Chas. R. Scott	—56

Those who voted in the negative were:

Lon Adams	J. W. Johnson	B. F. Reynolds
L. H. Ballard	Griffin Kelly	Dr. B. F. Shields
W. M. Boling	Frank Kennard	H. A. Spillman
T. L. Caudel	W. L. Kimbrough	Frank L. Strange
P. A. Day	J. M. Knott	J. Mack Thompson
H. C. Duffy	Dr. S. D. Laughlin	Dr. D. J. Travis
J. W. Geveden	Rev. J. A. Lee	Dr. T. R. Welch
Dr. W. L. Gossett	A. J. McCandless	W. G. Wheeler
D. J. Howard	Chas. A. Nelson	—26

Resolved that the title thereof be as aforesaid:

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed a Resolution as follows:

Senate Resolution No. 18. "Joint Resolution approving suggested plan of co-operation between the State Government and the City of Frankfort, and providing for a commission to be selected by the Governor and the Mayor of said city, authorized to report to the General Assembly of 1922 a measure to carry such plan into effect.

Whereas, The people of Kentucky look with just pride upon the history of their State and upon its achievements, and believe that their State Capital should be a model city, a proper setting for a place so historic and for the several millions of dollars worth of public property within its limits, and

Whereas, The Lieutenant Governor of Kentucky, the Honorable S. Thruston Ballard, has conferred with the muni-

cipal and civic authorities of the City of Frankfort, with the view of securing such co-operation as will make the Capital City of the Commonwealth a city which every Kentuckian will be proud to point to and to visit, and has met with a most hearty response from the people of Frankfort, now therefore,

Be it resolved by the Senate of Kentucky, the House of Representatives concurring therein, that we endorse the project, and that a Commission be appointed, to serve without compensation, to work out plans of such co-operation between State and City and to submit same to the General Assembly of 1922 for consideration by that body.

§ 2. That this Commission be composed of the Governor of Kentucky, the Lieutenant Governor and a third man selected by them from the present State officials, upon the part of the State, and the Mayor of the City of Frankfort, a member of the Common Council of said city selected by him, and these two to select a third man upon the part of the city from the membership of the Chamber of Commerce of said city.

§ 3. The Governor shall be Chairman of this joint Commission and the Mayor of the City of Frankfort shall be secretary of the Commission. Meetings shall be held upon call of the Chairman.

Ordered that said Resolution lie over until tomorrow.

Also that the Senate had passed Senate Bill No. 88 entitled: An Act to amend and re-enact Sections 1469, 1506 and 1541, Kentucky Statutes, Carroll's 1915 Edition, relating to the compensation of officers of election and registration officers, and hours of election.

Said bill was ordered to be printed for the House and referred to the committee on Kentucky Statutes.

Mr. Bryson moved to extend today's Session indefinitely.

Said motion was agreed to.

Mr. Bryson moved that the House do recess from 12:30 P. M. to 1:30 P. M.

Said motion was agreed to.

Then the House at 12:30 P. M. recessed until 1:30 P. M.

AFTERNOON SESSION.

THURSDAY, FEBRUARY 26, 1920.

The House reconvened at 1:30 P. M.

Mr. Lazarus moved to take up for consideration House Bill No. 91.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 91.

House Bill No. 91. An Act to amend, and re-enact Section 2218 of the Kentucky Statutes, being Section 2218 of an Act, entitled, "Interest and Usury," enacted by the General Assembly of the Commonwealth of Kentucky, December 3, 1892, regulating the rate of interest.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2218 of an Act entitled, "Interest and Usury," be and the same is hereby amended and re-enacted, so that the same shall read as follows:

"Legal interest shall be at rate of six dollars upon one hundred dollars for one year, and at the same rate for a greater or less sum, and for a longer or shorter time, provided, however, that any regular banking institution, state or national, may charge a minimum sum of one dollar, for any loan negotiated at such bank in this Commonwealth."

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	Hebron Lawrence	R. Lee Stewart
J. F. Carr	Joseph Lazarus	John T. E. Stites
T. L. Caudel	R. C. Marcum	Frank L. Strange
B. L. Cox	I. S. Mason	T. R. Stultz
J. S. Cruse	A. J. McCandless	John W. Swope
H. N. Dean	H. C. McLellan	J. Mack Thompson
J. B. Denues	Claude D. Minor	C. B. Truesdell
B. J. Geohringer	John T. Murphy	John L. Trumbo
J. W. Geveden	Estill W. Neel	J. Wood Vance
E. C. Hardin	T. P. Oliver	Fred C. VanHoose
A. R. Hudson	T. C. Pryse	Daniel Vose
J. W. Johnson	Sherman Robbins	A. M. Wash
Henry Kaufman	Lee Rogers	J. S. Webb
Frank Kennard	B. A. Roth	Gladstone Wesley
W. L. Kimbrough	W. P. Scott	W. G. Wheeler
J. M. Knott	E. E. Shannon	V. M. Williamson
Dr. S. D. Laughlin	S. G. Smith	W. N. Winn

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Those who voted in the negative were:

Lon Adams	Dr. W. L. Gossett	Chas. A. Nelson
W. M. Boling	D. J. Howard	Chas. R. Scott
Rodney G. Bryson	Griffin Kelly	—10
P. A. Day	Rev. J. A. Lee	

Resolved, That the title thereof be as aforesaid.

Mr. Shannon moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then the House took up from the Orders of the Day, a bill entitled Senate Bill No. 21.

Senate Bill No. 21. An Act to abolish and recreating County Board of Education, prescribing its duties, fixing its tenure and compensation, and providing for the election or appointment of a County Superintendent, fixing his qualification and compensation and tenure of office and prescribing his duties, fixing his bond and providing for a minimum tax of thirty cents on the one hundred dollars worth of taxable property and a capitation tax of one dollar for school purposes, and providing for the appointment of district trustees, fixing their duties and repealing Sub-sections 3, 4, 6, 15 and 16 of Section 4426-a, and all laws and parts of laws in conflict with this Act are hereby repealed.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Subdivision 1. § 1. There shall be a County Board of Education composed of five members elected by the qualified voters of the county for a term of four years from the first Monday in May, next, succeeding their election and they shall hold office until their successors are elected and qualified, provided, that the term of office of persons who are now members of the County Board of Education at the time that this Act shall take effect, shall not be affected by its provisions, and further, that the length of the term of the first five regularly elected members of the County Board of Education shall be so designated at the time of their election that there shall thereafter be two regular vacancies and two regular elections the first year and one regular vacancy and one regular election each succeeding year for each four-year period. There-

after, the term of each member elected on the board for each county shall be four years. Any person shall be eligible to the office of member of the County Board of Education who is over twenty-one years of age and who has been a resident of the county in which he or she is elected for one year next preceding his or her election, and not subject to the authority of the County Board of Education.

No person shall be eligible to membership on the County Board of Education or qualified to vote in such election, other than a resident of such county outside the corporate limits of any city or town having an independent school system of its own within the limits of said county. All elections for members of the County Board of Education shall be held on the first Saturday in April at the regular voting place in each precinct and shall be by secret ballot. It shall be the duty of the county clerk to cause to be printed on ballots all names of all candidates for membership of the County Board of Education and in whose behalf he may be petitioned so to do in writing by not fewer than one hundred electors of said county. The petitions must be filed in the office of the county clerk not more than sixty days nor less than fifteen days before the election and each petition must be signed by the requisite number of qualified voters and no person shall sign more petitions than the number of offices to be filled. If the nomination is to fill a vacancy, the petition shall so state, or, if the same person shall be nominated for another term and to fill a vacancy, he shall be accepted as a candidate for the full term.

Said ballots shall be in the form prescribed by the general election law of the state, except that no party emblem or device or distinguishing mark shall be placed on said ballot save the words "School Ticket" at the head thereof, and that the names of candidates for membership in the County Board of Education shall be printed on said ballot in a single column. The names shall be printed on the ballots as arranged in order by lot. The provisions of the general election law of the State of Kentucky, as to the duties of county clerks and other public officers in the matter of printing and distributing ballots and receiving and depositing them in the ballot boxes and

the counting and preserving them and all other particulars, except as otherwise provided herein, shall be applicable in all respects to election of the members of the County Board of Education.

It shall be unlawful for an election officer or other person in the election booth to tell or indicate by word of mouth or otherwise to any voter what may be the political affiliation of any candidate and a violation of this provision shall be a misdemeanor, punishable by a fine of not exceeding $200.00. Each voter may vote for as many of said candidates as there are members to be elected by marking a cross in the square opposite the name of each candidate for whom he wishes to vote. The candidates in number equal to the number of members to be chosen, who have the highest number of votes, shall be declared elected. It is provided further, if any ballot should show a greater number of candidates voted for than there are vacancies to fill, that ballot shall be marked by the election officers as mutilated. If at any election a member is to be chosen to fill a vacancy and to serve out an unexpired term, candidates may be chosen as above provided, but they shall in all cases be designated on the ballots as candidates to fill a vacancy and the date of the unexpired term shall be stated.

Vacancies in any of the county boards for any cause shall be temporarily filled by the other members of the board as soon as practicable after the vacancy occurs. The member so chosen shall hold office until his successor is elected and qualified, subject to the provisions of Section 152, Constitution of Kentucky.

The first election under the provisions of this Act shall be held on the first Saturday in April, 1920.

§ 2. The County Board of Education shall hold its first meeting on or about the first Saturday in March, 1921, and on or about the second Tuesday in May of each succeeding year. At this first and succeeding annual meetings of the County Board of Education, the County Board of Education shall organize itself by electing one of its members to serve as chairman and one to serve as vice-chairman. Other regular meetings shall be held at least once in each school term and such special meetings may be held as the duties and business of the County Board of Education may require.

The members of the County Board of Education shall receive no salary but each member shall receive a per diem of $5.00 for each meeting of the County Board of Education, in addition thereto, each member shall be allowed out of the county school fund their actual and necessary expenses in attending said board meetings, provided, that not more than $150.00 shall be spent as per diem and expense of each member. The County Superintendent of schools shall be the executive officer, secretary and treasurer of the County Board of Education. He shall attend all meetings of the board and its committees, except when his own tenure, salary or the administration of his office is under consideration, and shall have the right to advise on any question under consideration, but he shall not have the right to vote, provided that where a superintendent has an assistant that the assistant may attend in the superintendent's place.

§ 3. Subject to the State Course of Study and to the by-laws and policies of the State Board of Education, the County Board of Education shall determine by the consent and advice of the County Superintendent the educational policies of the county, and shall prescribe rules and regulations for the conduct and management of the schools. The County Board of Education shall exercise through its executive officer, the county superintendent and his professional assistants, control and supervision over the schools of the county. The County Board of Education shall consult and advise through its executive officer and his professional assistants, with the local subdistrict trustees, principals, teachers and interested citizens, and shall seek in every way to promote the schools under their jurisdiction.

§ 4. The County Board of Education and their successors in office shall be a body-politic and corporate, with perpetual succession and as such may sue and be sued. The County Board of Education in its corporate capacity shall have control of the county school property and county school funds. No school funds shall be appropriated out of the treasury of the school board except when so ordered by a majority of the county school board, and all orders appropriating money from the treasury of the county school board shall be of record. Said record shall be kept in a book or books

provided by the State Board of Education and shall show the amount appropriated, for what appropriated, to whom paid and the time of appropriation, together with the names of the members who favor and oppose the appropriation written thereon. Before any claim against the county school board shall be paid, it shall be submitted in writing, itemized and verified.

§ 5. The County Board of Education in every county in the state shall provide sanitary, hygienic, suitable and convenient water-closets or outhouses for each of the schools under their jurisdiction, not less than two for each school building in their respective school districts, with separate means of access to each and unless placed at a reasonable distance one from the other, the approaches or walks thereto, shall be separated by a substantial close-fence, not less than seven feet high; and it shall be the duty of the said County Board of Education to make provisions for keeping the said water-closets or outhouses in a clean, comfortable, sanitary and hygienic condition. Neglect or failure on the part of the members of the County Board of Education to comply with the provisions of this section, shall constitute cause for removal from office or they may be proceeded against under the general laws of Kentucky for misfeasance in office.

§ 6. The County Board of Education shall appoint on the written recommendation of the county superintendent all principals, assistant principals and teachers and fix their salaries subject to the provisions of law.

For incompetency, neglect of duty, or immoral conduct, or failure to obey the order, the County Board of Education may suspend or remove from office the county superintendent or any of his professional assistants, any principal, assistant principal or teacher or district trustee.

The County Board of Education subject to the by-laws, rules and regulations of the State Board of Education, shall on the written recommendation of the county superintendent, grade and standardize the schools under their jurisdiction.

In the matter of holding the title to real estate and other school property, the acquiring, the control, management and disposition. the County Board of Education created by this

Act shall be the successors in office of the County Board of Education created by Acts of 1908.

§ 7. The County Board of Education each year beginning with the year 1920 shall prepare, subject to the rules and regulations of the State Board of Education, and on and with the advice of the county superintendent, an itemized and detailed school budget, showing amount of money needed for permanent improvements, repairs, and for current repairs, furniture for old buildings, maintenance and support of the schools during the succeeding school year, also the estimated total amount that will be received from the state which will be used for paying teachers' salaries and the amount that will be needed to be raised by local taxation. This annual school budget shall be submitted in writing not less than ten days before the usual date for levying county taxes, to the clerk of the fiscal court, and it shall be his duty to present it to the fiscal court when it convenes thereafter. Provided that this ten-day limit does not apply to the year 1920. The fiscal court is hereby authorized, empowered, directed and required and it shall be mandatory for it to levy and collect such taxes upon the assessable property in the county as will produce the amount found to be necessary by the County Board of Education to be raised by local taxation in the annual budget of the County Board of Education. The amount requested in the annual budget of the County Board of Education for current repairs, furniture for old buildings, maintenance and support of schools and salaries of supervisors and teachers for the succeeding year to be raised by local taxation, shall not hereafter in any year, be less than a minimum tax levied and collected of thirty (.30) cents on each one hundred ($100.00) dollars worth of assessable property in the county, and a capitation tax not exceeding one ($1.00) dollar. The tax so levied and collected shall be separately and distinctly indicated on tax bills and receipts and shall be known as "The County School Tax." Tax so levied shall be collected by the sheriff as other taxes are collected and shall be paid to the treasurer of the County Board of Education at the same time and in the same manner as other taxes are paid to the county treasurer and the officer, or sheriff collecting said school taxes shall account for and pay all taxes which he collects for the said

County Board of Education to the treasurer of the County Board of Education not later than the first day of January in each year and upon his failure to do so, he and his securities shall be liable as provided for by law, and the County Board of Education shall as provided in Section 4, Subdivision 2, of this Act, expend the money so received, in the buildings, improvement and equipment of the school houses, for the purchase and condemnation of necessary real estate, for the payment of teachers, purchase of necessary supplies and the extension of the school term in the various districts throughout the county, as in their judgment as a County Board of Education, the needs of the individual schools for white and colored children demand.

Sub-section 8. The County Board of Education shall hereafter provide for at least an annual audit of its business and financial transactions and of the accounts of its treasury by special accountant, agent approved by the state superintendent or by the state superintendent himself, and the result of this audit shall be made public by the County Board of Education in at least two consecutive issues of some paper which has general circulation in the county. This audit shall be on or about the close of the school year as directed by the state superintendent of schools.

Each County Board of Education shall make all the reports required by the State Board of Education, and the state superintendent of public instruction, at such times and upon such items, and in such forms and on such blanks as may be prescribed by the State Board of Education and the state superintendent of public instruction.

Each County Board of Education shall cause to be prepared and published annually on or about the first of July in sufficient quantities for distribution among the citizens of the county an annual report to the people covering the conditions, current expenses, accomplishments and needs for the improvement of the schools and also a statement of the business and financial transactions of the County Board of Education. All duties now conferred by law upon the educational division boards shall be vested in the County Board of Education.

Sub-division 2. § 1. The County Board of Education of each county shall appoint in the month of May, 1921, a

county superintendent of schools for a term of not more than four years from the first day of January next succeeding his appointment. He shall hold office until his successor has been appointed and qualifies. No person shall be eligible to the office of county superintendent of schools who does not hold from the state superintendent of schools a proper certificate in administration and supervision as provided by law, and no teacher or person holding any other office shall be county superintendent, provided that all county superintendents of schools holding office at the time that this Act shall take effect shall continue to serve to the end of the term for which they are originally elected and until their successors are appointed and qualified, unless removed as provided by Section 6, Sub-section 2 of this Act, and he shall be eligible for re-appointment.

The salary of the county superintendent of schools shall not be diminished during his term of office. The county superintendent of schools shall devote his entire time to the public school business and shall receive such compensation as the County Board of Education shall direct to be paid from the county school funds in four quarterly installments, provided that no county superintendent of schools appointed to office under the provisions of this section shall be paid a salary of less than $1,600 per year. In case of vacancy due to any cause, the County Board of Education shall fill the vacancy and the appointment shall be for the unexpired term and until the successor shall have been appointed and qualified.

The county superintendent of schools as executive officer of the County Board of Education shall see that the laws relating to the schools, the by-laws, rules and regulations of the State Board of Education, and regulations and policies of the County Board of Education are carried into effect.

The county superintendent of schools shall recommend for condemnation, school buildings which are insanitary and unfit for use. He shall recommend the repairs, the purchase of grounds, school sites and grounds, for the sale of the same, and shall cause to be prepared all plans and specifications for remodeling of old buildings and the construction of new buildings and shall supervise such remodeling and construction, provided that the plans and specifications for any and all

school buildings to be erected in said county shall be submitted to the state superintendent or his agent for approval.

The county superintendent shall approve in writing all contracts, of any kind, entered into by the County Board of Education, and no contract entered into by the County Board of Education without the written approval of the county superintendent of schools shall be valid.

The county superintendent of schools shall be the representative of the state superintendent of schools in all examinations for teachers' certificates, conducted within the county and shall perform such duties connected therewith as may be required by law.

§ 2. The county superintendent of schools shall nominate for appointment of the County Board of Education all principals, all assistant principals and teachers and shall assign them to the positions of principals, assistant principals and teachers of the various schools of the county; transfer them as the needs of the school require; recommend them for promotion; suspend them for cause and recommend them for dismissal.

The county superintendent of schools acting under the rules and regulations of the County Board of Education shall be responsible for the administration of the office of the county superintendent of schools. He shall nominate for appointment by the County Board of Education, all professional and clerical assistants of the office but the qualifications of all such appointees, the tenure and compensation, except as may be provided by law, shall be determined by the County Board of Education.

There shall be appointed in each county at least one attendance officer whose duties shall be to compel the regular attendance of all pupil children at school as provided by law. Said person shall receive such compensation as the County Board of Education shall direct.

The county superintendent of schools shall take the initiative in the preparation and presentation of the annual school budget and shall seek to secure adequate funds for the support and development of the public schools of the county.

The county superintendent of schools, acting as the executive officer of the County Board of Education, shall conduct

the correspondence, receive all reports from the district trustees, principals, assistant teachers, and teachers, and shall see that all reports are properly made and submitted. He shall prepare or cause to be prepared and submitted to the County Board of Education for adoption all reports required of that body, by the State Board of Education or the state superintendent of schools and he shall prepare or cause to be prepared and submitted for approval of the County Board of Education the annual report addressed to the people of the county as hereinbefore provided for.

Before the county superintendent as treasurer of the County School Board shall enter upon the discharge of his duties, he shall execute a bond to the Commonwealth of Kentucky in any sum not to exceed twice the amount which shall be turned over to him by the state superintendent of schools each month and such other bond or bonds as the county judge may deem necessary to secure the funds turned over to him by sheriff or officer whose duty it shall be to collect the school taxes as provided in Section 7 of Sub-division No. 2, of this Act.

Both the county superintendent and the chairman of the County Board of Education shall have the power to administer oaths in all matters pertaining to school work. It shall be the duty of the county superintendent to hold the County Teachers' Institute as now provided by law and under such rules and regulations as may be prescribed by the state superintendent of public instruction or the State Board of Education.

The County Board of Education shall appoint for each district one discreet and well qualified person of good moral character over twenty-one years of age; as district trustee who shall be custodian of the school buildings and other school property contained therein. It shall be his duty to make monthly visits to the school, examine the teachers' register, take note of the progress being made, and by and with the consent of the county superintendent see that the school is furnished with fuel and other necessary supplies. It shall be his duty to report in writing to the county superintendent any necessary repairs or improvements that the school buildings or ground may need. It shall be his duty to take the census

of the pupil children of his district as now provided by law under supervision of the county superintendent.

Sub-division 4 and sub-sections 3, 4, 6, 15 and 16, and all laws and parts of laws in conflict with this Act are hereby repealed.

The Committee offered the following amendment:

Amendment No. 1. Amend title by striking out of line 3 the word "its" and inserting in lieu thereof the word "his."

Amendment No. 2. Amend Senate Bill 21, Section 1, line 33, by pluralizing the word "election."

Said amendment was agreed to.

Amendment No. 3. Amend Senate Bill 21, Section 1, by striking out of line 69 the word "or" and inserting in lieu thereof the word "as."

Said amendment was agreed to.

Amendment No. 4. Amend Senate Bill 21, Section 1, line 78 by pluralizing the word "officer."

Said amendment was agreed to.

Amendment No. 5. Amend Senate Bill 21, in House, by inserting at the end of the first paragraph of Section 11, after the word "dismissal" the following:

"Provided nothing herein shall be construed as affecting the present law for the employment of teachers before the year 1921."

Said amendment was agreed to.

Amendment No. 6. Amend Senate Bill 21, Section 10, by striking out of line 2 the words "the month of May."

Said amendment was agreed to.

Amendment No. 7. Amend Senate Bill 21, Section 10, line 18, by striking out the word "not."

Said amendment was agreed to.

Amendment No. 8. Amend Senate Bill 21, Section 11, by striking out of line 2 after the word "appointment" the word "of" and inserting in lieu thereof the word "by."

Said amendment was agreed to.

Amendment No. 9. Amend Senate Bill 21, Section 15, by striking out of line 7 after the word "effective" the word "and."

Said amendment was agreed to.

Amendment No. 10. Amend Senate Bill No. 21, in the House, by striking out all of Section 8, and inserting in lieu thereof the following:

§ 8. It shall be the duty of the County Tax Commissioner of each county, upon blanks furnished to him by the State Tax Commission, in making the assessment for the county, to show on each assessment the property subject to taxation under provisions of this Act and it shall be the duty of the county court clerk after the tax commissioner has made out and completed the tax assessor's books of the county, to certify to the county superintendent the total assessed valuation of property in the county subject to taxation under the provisions of this Act. Upon receipt of such certificate from the county court clerk, it shall be the duty of the County Board of Education created by this Act each year beginning with the year 1921, and of the present County Board of Education of 1920, to prepare subject to the rules and regulations of the State Board of Education and on and with the advice of the county superintendent, an itemized and detailed school budget, showing the amount of money needed for supplement-

ing teacher's salaries, for permanent improvements, repairs, furniture, old buildings, maintenance and support of schools during the succeeding school year and also the estimated total amount that will be received from the State and the amount that will be needed to be raised by local taxation, including the rate of levy necessary to raise such amount, which in no event shall be less than twenty-five cents nor more than forty cents on each one hundred dollars worth of taxable property in the territory affected by this Act. This annual school budget shall be submitted in writing to the county court clerk not less than ten days before the usual day for making the county levy and it shall be the duty of the clerk of the county court to present it to the fiscal court when it convenes to make the annual county levy.

Provided, that for the year 1920, the said budget need not be submitted ten days before the regular levying day of the fiscal court. When such budget has been submitted to the fiscal court as herein provided, it shall be the duty of the fiscal court to make the levy therein recommended and demanded, upon all taxable property subject to State taxation in said county, exclusive of property located in graded school districts and cities and towns maintaining a separate and distinct system of common schools.

At the same time that the fiscal court makes the ad valorem levy demanded by the County Board of Education, it shall also impose upon all legal voters residing in the territory affected by the said ad valorem tax, a capitation tax not exceeding one dollar each. It shall be the duty of the sheriff of the county in the same manner and at the same time he collects other State and county revenues, to collect the tax imposed under the provisions of this Act and after deducting his commission for same as now allowed by law and provided herein.

For the purpose of determining the sheriff's commission for collecting the tax provided for in this Act, the tax so collected, together with the State and county revenue collected by the sheriff, shall be treated as one fund and the sheriff shall deduct from the taxes collected under the provisions of this Act his commission for collecting same which shall be in

proportion to his entire commission on the combined funds referred to herein, as the school taxes collected bears to all the taxes collected by him. The County Board of Education by an order entered of record on its books may require the sheriff to make monthly settlements of the taxes collected by him under the provisions of this Act. The fiscal court shall annually make a settlement with the sheriff for the taxes collected under the provisions of this Act in the same manner as now provided for by law for settlement of State and county taxes and a copy of said settlement must be filed with the County Board of Education. The money collected by taxation under the provisions of this Act shall be expended by the County Board of Education in accordance with recommendation contained in the budget submitted to the fiscal court as herein provided.

The money raised by the levy under this section of this Act shall be devoted first and exclusively, up to the amount of the minimum levy herein provided, for the purpose of supplementing the teachers' salaries engaged in teaching in the territory affected by the provisions of this section, until the minimum salary now allowed by law, or as may hereafter be allowed by law, for teachers is reached, and after said minimum has been reached, the money raised by such levies may be used for supplementing teachers' salaries, building of school houses, equipment of same and other costs of maintenance and operation, as in the judgment of the County Board of Education may be determined; but the amount necessary, as well as the levy necessary, for supplementing teachers' salaries and for the other purposes herein set forth, must be itemized in the budget submitted by the County Board of Education to the county fiscal court at the time the request for the levy is made.

Mr. Wesley offered the following amendment to Amendment No. 10.

Amendment to amendment to Senate Bill No. 21 which is substitute for House Bill No. 126.

Amend Section No. 8 to amendment, by striking therefrom after the word "than" the words "forty cents" and in inserting in lieu thereof the words "fifty cents."

This amendment was adopted.

Mr. Hardin offered the following amendment to Amendment No. 10.

Amend Amendment No. 10 to Senate Bill 21 as follows:

By adding at the end of paragraph 3 of said amendment the following:

"Provided, however, the commission allowed the sheriff for collecting said tax shall not exceed one per cent of the total school tax collected."

This amendment was adopted.

Then Amendment No. 10 as amended by Mr. Wesley and Mr. Hardin was adopted.

Mr. Strange offered Amendment No. 11 as follows:

Amend substitute House Bill 126 by adding in line 4, Section 1, after the word "second" the words "third and fourth."

After discussion, said amendment was withdrawn.

Mr. Strange offered Amendment No. 12 as follows:

Amend substitute House Bill 126, Section 8, by striking out in line 24 the words "less than twenty-five cents nor."

Said amendment was disagreed to.

Mr. Strange offered Amendment No. 13 as follows:

Amend substitute House Bill 126, Section 10, by striking out the following words in lines 35, 36, 37 and 38: "provided that the plans and specifications for any and all buildings in said county shall be submitted to the State Superintendent of Public Instruction or his agent for approval."

Said amendment was disagreed to.

Mr. Duffy offered Amendment No. 14 as follows:

Amend Section 6, line 4, by striking out the words "State Board of Health" and inserting "County Board of Health."

Said amendment was adopted.

Mr. Shields offered Amendment No. 15 as follows:

Amend Senate Bill No. 21, by striking out the words on page 2 in line 28, "on the regular election day in November" and inserting in lieu therefor the words "the first Tuesday after the first Monday in October."

Said amendment was disagreed to.

Mr. Ballard offered Amendment No. 16 as follows:

Amend Senate Bill No. 21, on page 8, lines 21 and 22, by striking from said lines the words "twenty-five cents" and inserting in lieu thereof the words "twenty cents."

Said amendment was disagreed to.

Mr. Smith offered Amendment No. 17 as follows:

By striking out "$1,200" in line 18, on page 10, and inserting in lieu thereof "$800."

Said amendment was disagreed to.

Mr. Lawrence offered Amendment No. 18 as follows:

Amend Senate Bill No. 21, by adding after the word "year," in line 18, on page 10, "to be paid out of the county funds of each county."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey
L. H. Ballard
H. H. Barnes
S. M. Bennett
J. M. Billiter
Rodney G. Bryson
J. F. Carr
Charles M. Ciarlo
B. L. Cox
J. S. Cruse
H. N. Dean
J. B. Denues
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
Talbert Holliday
A. R. Hudson
Adam W. Huff
Robt. Humphreys
R. O. Huntsman
J. W. Johnson
Henry Kaufman
W. L. Kimbrough
J. M. Knott
Hebron Lawrence
Joseph Lazarus
Rev. J. A. Lee
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
Mack J. Morgan
John T. Murphy
Estill W. Neel
T. P. Oliver
T. C. Pryse
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
W. P. Scott
E. E. Shannon
S. G. Smith
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
T. R. Stultz
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
Geo. C. Waggoner
A. M. Wash
J. S. Webb
Gladstone Wesley
R. E. Wilborn
V. M. Williamson
W. N. Winn

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Those who voted in the negative were:

Lon Adams	D. J. Howard	H. A. Spillman
W. M. Boling	Griffin Kelly	Frank L. Strange
T. L. Caudel	Frank Kennard	John W. Swope
P. A. Day	Claude D. Minor	John B. Thomas
H. C. Duffy	Chas. A. Nelson	J. H. Thompson
J. W. Geveden	B. F. Reynolds	J. Wood Vance
Dr. W. L. Gossett	Chas. R. Scott	Dr. T. R. Welch
A. L. Hamilton	Dr. B. F. Shields	W. G. Wheeler

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Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then the following amendment to the title (Amendment No. 1 offered by the Committee) was agreed to:

Amend title by striking out of line 3 the word "its" and inserting in lieu thereof the word "his."

Resolved, that the title of said bill be as amended.

Mr. Laughlin moved to suspend the rules and take up for immediate consideration House Bill No. 332.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 332.

House Bill No. 332. An Act to inculcate habits of thrift and industry in public high schools.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be taught in the public and high schools of the state a course of lessons to inculcate habits of thrift and industry.

§ 2. It shall be the duty of the State Superintendent to have prepared and furnished to every teacher of said public and high schools of the state a bulletin covering thrift and industry. Also, it shall be the duty of the State Superintendent of Public Instruction to have prepared and furnished to the teachers of the public and high schools placards printed in large type, which shall set forth in an attractive style, statistics, epigrams and mottoes showing the advantages of thrift and industry. It shall be the duty of every teacher in the state, paid entirely or in part by the state, to observe at least one fifteen-minute period each week to the teaching of thrift and industry and to keep placards on thrift and industry posted in the school room.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Dr. B. F. Shields
Sidney Alfrey	Griffin Kelly	S. G. Smith
L. H. Ballard	J. M. Knott	H. A. Spillman
S. M. Bennett	Dr. S. D. Laughlin	R. Lee Stewart
J. M. Billiter	Hebron Lawrence	John T. E. Stites
W. M. Boling	Joseph Lazarus	Frank L. Strange
J. F. Carr	Rev. J. A. Lee	T. R. Stultz

T. L. Caudel	A. J. McCandless	John W. Swope
Charles M. Ciarlo	R. L. McFarron	John B. Thomas
B. L. Cox	Claude D. Minor	J. H. Thompson
J. S. Cruse	Mack J. Morgan	Dr. D. J. Travis
J. B. Denues	John T. Murphy	C. B. Truesdell
J. M. Foster	Estill W. Neel	John L. Trumbo
Dr. T. H. Gamblin	Chas. A. Nelson	J. Wood Vance
J. W. Geveden	T. P. Oliver	Fred C. VanHoose
E. C. Hardin	B. F. Reynolds	Geo. C. Waggoner
Talbert Holliday	Sherman Robbins	A. M. Wash
D. J. Howard	Lee Rogers	J. S. Webb
A. R. Hudson	B. A. Roth	Gladstone Wesley
Adam W. Huff	Dr. Lewis Ryans	R. E. Wilborn
Robt. Humphreys	Chas. R. Scott	W. N. Winn
R. O. Huntsman	W. P. Scott	—67
J. W. Johnson	E. E. Shannon	

Those who voted in the affirmative were:

P. A. Day	H. C. Duffy	J. Mack Thompson
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Mr. Laughlin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Laughlin offered the following amendment to the title of said bill:

To amend Title of House Bill No. 332 as printed by adding after the word "in" the word "the," and after the word "public" the word "and" so that when so amended the title will read as follows:

"An Act to inculcate habits of thrift and industry in the public and high schools."

Said amendment to the title was agreed to.

Resolved, that the title thereof be as amended.

Mr. Ciarlo moved to suspend the rules and take up for immediate consideration House Bill No. 405.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 405.

House Bill 405. An Act to amend and re-enact Section 513 of the Kentucky Statutes, relating to indexing of conveyances.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 513 of the Kentucky Statutes be amended by adding thereto the following:

Provided further, that in court house districts in which additional sectional indexes have been prepared as herein provided, the commissioners thereof, in order that such additional indexes may be kept correctly and accurately, may employ a competent person to keep up said additional indexes and pay such person so employed a salary therefor of not to exceed two thousand four hundred dollars per annum out of the funds of said court house district.

So that said section, as amended and re-enacted, shall read as follows:

Section 513. The clerk of each county court shall make and keep an alphabetical cross-index of all conveyances heretofore or hereafter recorded in his office, and he shall when a mortgage or deed of trust, or any other conveyance, lease or contract is lodged in his office for record, at once, and before attending to any other business, place the names of the parties to the same upon the cross-index in his office, and shall, within six days thereafter, record the same; provided, however, that in counties wherein there has been created by law a court

house district and provision made for appointment of commissioners in said district the said commissioners may direct that the clerk of such county shall, in said district, in addition to the alphabetical cross-index, have made in books prepared for that purpose, general indexes to the records of all the real estate in said district by placing under the heads of the original surveyed sections or surveys, or parts of a section or survey, squares, subdivisions, or lots on the left page of such index book, first, a plat showing the survey, or part or section thereof, subdivision, square, or lots indexed on said page; second, the name of the grantor or grantors; third, next to the right the name of the grantee or grantees; fourth, the number and page of the record where the instrument is found recorded; fifth, the character of the instrument, to be followed by a pertinent description of the property conveyed by the deed, lease or assignment of lease of other instrument of writing affecting the lot or land described; and on the opposite page, in like manner, all the mortgages, liens, or other encumbrances affecting said real estate.

The clerk of such county shall, when so directed by said commissioner, prepare the proper specifications for said additional indexing system to bring up and complete said system to the date said new system shall be installed. He shall advertise for bids for said work under the specifications prepared and shall, with the approval of the said commissioners, enter into a contract with the lowest and best bidder for said work and shall, before entering into contract with the successful bidder, require him to give bond for the faithful performance of said contract in a sum to be fixed by the said commissioners and said bond to be approved by said commissioners.

The cost or expense of said work shall be paid by said commissioners out of the funds of said court house district.

When general indexes, such as herein provided for, are brought up and completed they shall constitute the official indexes and the clerk of the county shall keep up the same by indexing in said general indexes within one month from the time they are lodged for record, and when so indexed the alphabetical cross-index of such instruments need no longer be

preserved, and when such records or any part of them become defaced or injured, the clerk shall transcribe the same into new books which shall be as valid in law as the original records, and transcript therefrom shall be received and taken as of the same force and effect; the cost of such transaction shall be paid for out of the funds of said court house district; provided further, that in court house districts in which additional sectional indexes have been prepared as herein provided, the commissioners thereof, in order that such additional indexes may be kept correctly and accurately, may employ a competent person to keep up said additional indexes and pay such person so employed a salary therefor of not to exceed two thousand four hundred dollars per annum out of the funds of said court house district.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	R. O. Huntsman	Dr. Lewis Ryans
L. H. Ballard	J. W. Johnson	Chas. R. Scott
H. H. Barnes	Henry Kaufman	W. P. Scott
S. M. Bennett	Griffin Kelly	S. G. Smith
J. M. Billiter	Frank Kennard	H. A. Spillman
W. M. Boling	W. L. Kimbrough	R. Lee Stewart
Rodney G. Bryson	Dr. S. D. Laughlin	John T. E. Stites
J. F. Carr	Hebron Lawrence	T. R. Stultz
T. L. Caudel	Rev. J. A. Lee	John B. Thomas
Charles M. Ciarlo	R. C. Marcum	J. Mack Thompson
B. L. Cox	I. S. Mason	J. H. Thompson

J. S. Cruse	A. J. McCandless	Dr. D. J. Travis
P. A. Day	R. L. McFarron	C. B. Truesdell
J. B. Denues	H. C. McLellen	John L. Trumbo
J. M. Foster	Claude D. Minor	J. Wood Vance
Dr. T. H. Gamblin	Mack J. Morgan	Geo. C. Waggoner
J. W. Geveden	John T. Murphy	A. M. Wash
E. C. Hardin	Estill W. Neel	J. S. Webb
Talbert Holliday	Chas. A. Nelson	Gladstone Wesley
D. J. Howard	Sherman Robbins	R. E. Wilborn
A. R. Hudson	Lee Rogers	W. N. Winn
Adam W. Huff	B. A. Roth	—65

Resolved, That the title thereof be as aforesaid.

Mr. Ciarlo moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Nelson moved to suspend the rules and take up for immediate consideration House Bill No. 167.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 167.

House Bill No. 167. An Act relating to penitentiaries; abolishing the offices of assistant deputy wardens.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the offices of assistant deputy wardens be now and the same are abolished, and after the passage of this act the Board of Control shall not appoint or employ either at the State Reformatory, at Frankfort, or the Branch Penitentiary at Eddyville, any assistant deputy warden.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

§ 3. This act to take full force and effect in the due course provided by the constitution and statutes.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Dr. Lewis Ryans
L. H. Ballard	Griffin Kelly	Chas. R. Scott
H. H. Barnes	Frank Kennard	W. P. Scott
W. M. Boling	W. L. Kimbrough	S. G. Smith
J. F. Carr	J. M. Knott	R. Lee Stewart
T. L. Caudel	Dr. S. D. Laughlin	John T. E. Stites
B. L. Cox	Hebron Lawrence	Frank L. Strange
J. S. Cruse	Joseph Lazarus	T. R. Stultz
P. A. Day	R. C. Marcum	John W. Swope
H. N. Dean	A. J. McCandless	John B. Thomas
J. B. Denues	R. L. McFarron	J. Mack Thompson
H. C. Duffy	Harry J. Meyers	Dr. D. J. Travis
J. W. Geveden	Claude D. Minor	C. B. Truesdell
Dr. W. L. Gossett	Mack J. Morgan	John L. Trumbo
E. C. Hardin	John T. Murphy	Geo. C. Waggoner
D. J. Howard	Estill W. Neel	A. M. Wash
Adam W. Huff	Chas. A. Nelson	J. S. Webb
Robt. Humphreys	Sherman Robbins	Gladstone Wesley
R. O. Huntsman	Lee Rogers	R. E. Wilborn
J. W. Johnson	B. A. Roth	—59

Resolved, That the title thereof be as aforesaid.

Mr. Nelson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Roth moved that House Bill No. 350 be made a special order for tomorrow morning at 11:00 A. M.

Said motion was agreed to.

Mr. Wesley moved to suspend the rules and take up for immediate consideration House Bill No. 118.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 118.

House Bill No. 118. An Act amending and re-enacting Section 3677 and repealing Section 3678, Carroll's Statutes, Edition 1915, relating to assessment and collection of taxes in cities of the sixth class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3677 of the Kentucky Statutes, Carroll's Edition 1915, relating to assessment and collection of taxes in cities of the sixth class be and the same is hereby amended and re-enacted so that it shall read as follows:

All taxes imposed shall be collected on the assessed value of the property in the city as ascertained by the assessment made for the State and county purposes next preceding the collection of the tax, and may be collected by the sheriff of the county or by a collector appointed for that purpose by the board of trustees; and the collector or sheriff shall have the

same power in collection of such tax as he has in the collection of a State tax, and the same penalties shall be added for failure to pay the same, and it shall be collected at the same time and in the same manner as the State tax, and the same compensation shall be paid for its collection as is paid for the collection of State revenue.

Section 3678 be and the same is hereby repealed.

Mr. Laughlin offered the following amendment:

Amend House Bill 118, line 6, by inserting after the word "the" and before the word "State" the words "city, school."

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. M. Knott	Dr. B. F. Shields
L. H. Ballard	Dr. S. D. Laughlin	H. A. Spillman
H. H. Barnes	Hebron Lawrence	R. Lee Stewart
S. M. Bennett	Rev. J. A. Lee	John T. E. Stites
J. F. Carr	I. S. Mason	Frank L. Strange
T. L. Caudel	A. J. McCandless	John W. Swope
B. L. Cox	R. L. McFarron	John B. Thomas
J. S. Cruse	H. C. McLellen	J. Mack Thompson
P. A. Day	Harry J. Meyers	Dr. D. J. Travis
H. N. Dean	Mack J. Morgan	John L. Trumbo
J. B. Denues	Estill W. Neel	Fred C. VanHoose

J. M. Foster	Chas. A. Nelson	Daniel Vose
Dr. T. H. Gamblin	T. P. Oliver	Geo. C. Waggoner
B. J. Geohringer	B. F. Reynolds	A. M. Wash
J. W. Geveden	Sherman Robbins	J. S. Webb
Robt. Humphreys	Lee Rogers	Gladstone Wesley
J. W. Johnson	B. A. Roth	R. E. Wilborn
Henry Kaufman	Chas. R. Scott	V. M. Williamson
Griffin Kelly	W. P. Scott	W. N. Winn
Frank Kennard	E. E. Shannon	—59

Resolved, That the title thereof be as aforesaid.

Mr. Wesley moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. R. Lee Stewart moved to suspend the rules and take up for immediate consideration House Bill No. 328.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 328.

House Bill No. 328. An Act making it a misdemeanor to graze any kind of live stock on any portion of the grounds surrounding the State Capitol, and owned by the State, and fixing the punishment therefor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person to graze any live stock upon any of the grounds surrounding the State Capitol, and owned by the State, and any person so offending, upon conviction, shall be subject to a fine of not less than twenty-five ($25.00) dollars nor more than one hundred

($100.00) dollars in the discretion of the court or jury trying the case; and each day any person so offends shall constitute a separate offense.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	B. A. Roth
Sidney Alfrey	J. W. Johnson	Chas. R. Scott
L. H. Ballard	Henry Kaufman	W. P. Scott
H. H. Barnes	Frank Kennard	Dr. B. F. Shields
S. M. Bennett	W. L. Kimbrough	H. A. Spillman
J. F. Carr	J. M. Knott	R. Lee Stewart
T. L. Caudel	Dr. S. D. Laughlin	Frank L. Strange
B. L. Cox	Joseph Lazarus	T. R. Stultz
J. S. Cruse	Rev. J. A. Lee	John W. Swope
P. A. Day	R. C. Marcum	John B. Thomas
H. N. Dean	I. S. Mason	J. Mack Thompson
J. B. Denues	A. J. McCandless	Dr. D. J. Travis
J. M. Foster	H. C. McLellen	C. B. Truesdell
Dr. T. H. Gamblin	Harry J. Meyers	John L. Trumbo
B. J. Geohringer	Estill W. Neel	Daniel Vose
J. W. Geveden	Chas. A. Nelson	A. M. Wash
Dr. W. L. Gossett	B. F. Reynolds	Dr. T. R. Welch
E. C. Hardin	Sherman Robbins	W. G. Wheeler
D. J. Howard	Lee Rogers	—56

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a bill of the following title, viz.:

Senate Bill No. 18, entitled: An Act to amend Sub-section 7 of Section 1019-a of the Act approved March 29, 1902, entitled "An Act to provide for stenographic reporters for courts of continuous session."

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

Mr. Cruse moved to suspend the rules and take up for immediate consideration House Bill No. 12.

Then the House took up for immediate consideration from the Orders of the Day, a bill entitled House Bill No. 12.

House Bill No. 12. An Act to repeal Section 2276 of John D. Carroll's Volume 3, 1918 Supplement, Kentucky Statutes, and to repeal Section 2260 of John D. Carroll's 1915 Kentucky Statutes, and re-enact Section 2260, John D. Carroll's Kentucky Statutes, relating to the pay of jurors in circuit and inferior courts.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2276 of John D. Carroll's Volume 3, 1918 Supplement to Kentucky Statutes be, and the same is, hereby repealed.

§ 2. That Section 2260 of John D. Carroll's 1915 Kentucky Statutes be, and the same is, hereby repealed, and that said section be re-enacted, and when so re-enacted shall read as follows:

(1) All persons whose names are drawn from the drum or wheel case for jury service in any circuit court of this Commonwealth, and who appear in person in court at the opening thereof in response to summons, and who do not claim exemption or ask to be relieved from jury service, and all persons who shall serve as jurors in circuit court, whether drawn from the drum or wheel case or not, shall receive for such service the sum of three ($3.00) dollars per day for each day so served, even though such person be not sworn or accepted for jury service.

(2) Such jurors who shall be kept together overnight, in custody of the sheriff, shall receive two ($2.00) dollars additional for each night they are so kept together. Jurors in courts inferior to the circuit court shall receive fifty (50c) cents for each case in which they serve.

In the circuit court the jury fee of $5.00 shall be taxed as cost against the unsuccessful party, and in the other courts the cost of the jury shall be paid by the party demanding the jury, and shall be taxed as cost against the unsuccessful party. If the same juror serves on more than two juries in one day he shall not be allowed anything for such excess.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Dr. S. D. Laughlin	R. Lee Stewart
H. H. Barnes	Hebron Lawrence	Wm. A. Stewart
S. M. Bennett	R. C. Marcum	T. R. Stultz
J. F. Carr	I. S. Mason	John W. Swope
T. L. Caudel	A. J. McCandless	Dr. D. J. Travis
J. S. Cruse	R. L. McFarron	John B. Thomas
P. A. Day	H. C. McLellen	C. B. Truesdell
H. N. Dean	Harry J. Meyers	John L. Trumbo
J. M. Foster	Estill W. Neel	J. Wood Vance
Dr. T. H. Gamblin	Chas. A. Nelson	Fred C. VanHoose
J. W. Geveden	B. F. Reynolds	Daniel Vose
A. L. Hamilton	Sherman Robbins	J. S. Webb
E. C. Hardin	Dr. Lewis Ryans	Gladstone Wesley
Talbert Holliday	Chas. R. Scott	W. G. Wheeler
Adam W. Huff	W. P. Scott	V. M. Williamson
Robt. Humphreys	Dr. B. F. Shields	W. N. Winn
Frank Kennard	H. G. Skiles	—52
J. M. Knott	H. A. Spillman	

Those who voted in the negative were:

L. H. Ballard	J. W. Johnson	Frank L. Strange
B. L. Cox	Henry Kaufman	J. Mack Thompson
J. B. Denues	W. L. Kimbrough	Geo. C. Waggoner
Dr. W. L. Gossett	Joseph Lazarus	A. M. Wash
D. J. Howard	B. A. Roth	—14

Resolved, That the title thereof be as aforesaid.

Mr. Cruse moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Neel moved that House Bill No. 475 be made a special order for tomorrow at 10:30 A. M.

Said motion was adopted.

Mr. Hardin moved to make House Bill No. 400 a special order for tomorrow at 11:30 A. M.

Said motion was adopted.

Mr. Adams moved to suspend the rules and take up for immediate consideration House Bill No. 251.

Said motion was adopted.

Then the House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 251.

House Bill No. 251. An Act entitled the Fish and Game Local Option Law.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That upon the petition of one hundred legal voters of any county, filed in the county court of such county, asking submission of the question, "Whether or not the Fish and Game laws, which are at present upon the statute books of this Commonwealth or which may be upon the statute books of this Commonwealth at the time said petition is filed, shall or shall not prevail and be in force in that county," the county court shall direct the officers of election in such county to open a poll at the next regular election held in such county, in not less than sixty (60) days after the filing of such petition, for the purpose of ascertaining the will of the voters of such county upon the question "Whether or not the Fish and Game laws which are at that time upon the statute books of this Commonwealth shall prevail or shall not prevail in that county."

No polls shall be opened unless the petitioners shall deposit with the county court, at the time the petition is filed, an amount sufficient, in the judgment of the court, to defray the expenses of the election upon this question. Nor shall such question be submitted unless notice thereof be published twenty (20) days before the election in at least four issues of the paper published in such county, if there be one, having the largest bona fide circulation in the county; if there is no paper published in the county, notice shall be given by posting notice thereof on the courthouse door, and in four other public places in each precinct in which the election is to be held.

When an election is ordered as herein provided, the county clerk shall have printed on the ballots in each precinct in which the vote is to be taken the question: "Are you in favor or not in favor of the Fish and Game laws which are at present upon the statute books of this Commonwealth prevailing or not prevailing and of being in force and effect in ..... county (naming it)," and if a majority of those voting upon this question shall vote in favor of the Fish and Game law prevailing in said county, the same shall prevail, but if a majority of those voting at said election shall vote against the Fish and Game laws prevailing in said county the same shall not prevail in said county.

The poll of elections held under this law shall be compared, and the result announced in the manner, at the time, and by the persons authorized to compare the polls and declare the result in elections held for county officers; and the result shall be spread upon the records of the county court at its next regular term held after the result is declared; and the result of the election may be contested in the manner provided for the contest of elections held for county officers, except that notice of the contest shall be signed by at least five (5) persons who voted at the election. and shall be served upon at least five (5) persons who voted on the opposite side at the election, and cost shall be recovered by the prevailing party as in other cases of contested elections for county officers.

In any county in which a vote is taken under this law another vote shall not be taken until after the expiration of four (4) years from the time the last vote was taken. Pro-

vided, however, that no county in this Commonwealth shall have the right to determine by local option that the laws now upon the statute books relating to dynamiting fish shall be repealed insofar as they affect that county. That is, no county shall have the right by local option to nullify the effect of the law upon the statute books prescribing a penalty for the dynamiting of fish.

All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Adams offered the following amendment:

Strike out the words (and game) in line 11, page 2, also strike out the words (and game) in line 26.

The words (and game) in line 29 and words (and game) in line 31, House Bill No. 251.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Frank Kennard	Lee Rogers
H. H. Barnes	J. M. Knott	Chas. R. Scott
J. F. Carr	Dr. S. D. Laughlin	S. G. Smith

T. L. Caudel	Hebron Lawrence	Frank L. Strange
J. S. Cruse	Rev. J. A. Lee	T. R. Stultz
P. A. Day	A. J. McCandless	John W. Swope
J. W. Geveden	R. L. McFarron	John B. Thomas
E. C. Hardin	H. C. McLellen	Dr. D. J. Travis
Talbert Holliday	Chas. A. Nelson	W. N. Winn
Robt. Humphreys	B. F. Reynolds	—29

Those who voted in the negative were:

Sidney Alfrey	Estill W. Neel	J. Wood Vance
Rodney G. Bryson	T. C. Pryse	Fred C. VanHoose
J. B. Denues	Sherman Robbins	Daniel Vose
Dr. T. H. Gamblin	B. A. Roth	Geo. C. Waggoner
R. O. Huntsman	W. P. Scott	J. S. Webb
Griffin Kelly	Dr. B. F. Shields	Gladstone Wesley
Joseph Lazarus	John T. E. Stites	V. M. Williamson
I. S. Mason	J. Mack Thompson	—25
Mack J. Morgan	John L. Trumbo	

So said bill was rejected.

Mr. Adams moved to reconsider the vote by which said bill was rejected.

Mr. Lazarus moved to lay that motion on the table.

Mr. Adams withdrew his motion to reconsider.

Mr. Wash moved to adjourn.

Mr. Wash withdrew his motion to adjourn.

Then Mr. Vance moved that the vote by which said House Bill No. 251 was rejected be reconsidered and that that motion lie on the table.

Said motion was agreed to.

By unanimous consent the following bills were introduced, ordered to be printed and referred to the committees indicated.

By Mr. Meyers:

House Bill 515. An Act to exempt domestic mutual and assessment and co-operative fire insurance companies from the provisions of any other Act passed at the present session of the General Assembly.

To Committee on Rules.

By Mr. Humphreys:

House Bill 516. An Act to repeal Chapter I, Acts of 1916, relating to issuance of free passes or transportation by railroad companies.

To Committee on Rules.

By Mr. Bryson:

House Bill 517. An Act to amend and re-enact Section 26 of Chapter CLXVII of the Acts of 1918, entitled: "An Act to amend and re-enact Section 26 and to repeal Section 27 of Chapter CXXXVII of the Acts of 1912, entitled: 'An Act creating boards of education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith.' Approved March 19, 1912."

To the Committee on Rules.

By same:

House Bill 518. An Act to amend and re-enact Section 3105 of the Kentucky Statutes, 1915 Edition, relating to public improvements in cities of the second class.

To Committee on Rules.

By Mr. Huff:

House Bill 519. An Act to repeal and re-enact Section 1309 Kentucky Statutes Carroll's Edition, 1915, prescribing penalties for carrying upon or about the person a concealed deadly weapon.

To Committee on Rules.

By Mr. Pryse:

House Bill 520. An Act to amend Section 762 Kentucky Statutes, Carroll's Edition 1918, relating to compensation to attorneys and agents of department and State Treasurer.

To Committee on Rules.

By Mr. Huntsman:

House Bill 521. An Act to repeal and re-enact paragraph 6, Section 1550, Article 12, Kentucky Statutes, Carroll's Edition of 1915, relating to the declaration of candidacy for party nominations.

By Mr. McLellen:

House Bill 522. An Act to provide for the registration of architects, engineers and surveyors; to regulate the practice of architecture, engineering and surveying as professions and to establish their relation to public works and the surveying and platting of lands; to provide for a board of examiners for architects, engineers and surveyors.

To Committee on Rules.

By Mr. McLellen:

House Bill 523. An Act to amend an Act entitled "An Act to provide for the nominations of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof" which

Act became a law March 5, 1912, as the same was amended by Act of the Legislature approved March 23, 1914, so as to provide for the nomination of judges of the Court of Appeals and Circuit Courts of the State of Kentucky.

To Committee on Rules.

Upon the call of standing committee for reports the following bills were reported:

By Mr. Stultz, of the Committee on Appropriations:

House Bill 395. An Act creating a Department of Adult Education; providing for a commissioner of same; creating a system of evening schools; providing for the employment of teachers therein, and appropriating money for carrying out the provisions of this Act.

With the expression of opinion that same ought to pass.

By same:

House Bill 78. An Act for the benefit of the Red Cross Association (colored) of Louisville.

With the expression of opinion that same ought to pass.

By same:

House Bill 152. An Act appropriating the sum of five thousand dollars for the purpose of erecting a new monument over the grave of Isaac Shelby in Lincoln County.

With the expression of opinion that same ought to pass.

By same:

House Bill 408. An Act providing for a State Tuberculosis Sanitarium, making appropriations therefor, providing for State ownership of lands acquired and providing regulations for the control of such institution and for the prevention and relief of tuberculosis.

With the expression of opinion that same ought to pass.

By same:

House Bill 304. An Act to continue the existence of the Kentucky Council of Defense for the sole purpose of completing the work of gathering, arranging and preserving the history of Kentucky's part in the world war, and making an appropriation for that work.

With the expression of opinion that same ought to pass.

By Mr. Ryans, of the committee on Public Offices:

House Bill No. 75. An Act to provide for the approval and payment of all members of Boards, Institutions, or Departments, or Commissions, accounts for traveling expenses of State officers, attorneys or employes that are to be paid out of the State Treasury.

With the expression of opinion that same ought to pass.

By Mr. Kaufman, of the Committee on Juvenile Courts and Children's Home:

House Bill No. 164. An Act to amend and re-enact Subsections 3, 4, 17 and 21 of section 331-e of the Kentucky Statutes, being also sections 3, 4, 17 and 21 of an Act of the General Assembly of Kentucky approved March 19, 1908: "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define those terms and fixing and defining the powers of the several County Courts within this Commonwealth with reference to the care, treatment and control of such children, and to provide for the means whereby such powers may be exercised" (Said section No. 3 having been heretofore amended by an act of the General Assembly of the Commonwealth of Kentucky approved March 23, 1910, being Chapter LXXVII of the Acts of 1910.)

With the expression of opinion that same ought to pass.

By Same: House Bill No. 369. An Act to amend and re-enact Section 328 of the Kentucky Statutes relative to the support of minor children by their parents.

With the expression of opinion that same ought to pass.

By Same:

Senate Bill No. 17. An Act to amend Sub-Section 9 of Section 331-e, of Chapter XVIII of the Kentucky Statute which was an Act of February 24th, 1894, pertaining to children destitute or maltreated.

With the expression of opinion that same ought to pass.

By Mr. Trumbo, of the Committee on Insurance, Life and Accident.

House Bill No. 457. An Act to authorize the valuation of bonds and other securities, by Insurance Companies and Fraternal Beneficiary Associations, by the Amortization Method.

With the expression of opinion that same ought to pass.

By Mr. Huff, of the Committee on Fish and Game.

House Bill No. 263. An Act to make it lawful to catch fish with a seine or net in navigable and non-navigable streams; prescribing regulations and providing penalties.

Without expression of opinion.

Mr. R. Lee Stewart moved that said bill be read the first time and placed in the Calendar.

Said motion was agreed to.

By Mr. Voss, of the Committee on Corporate Institutions:

House Bill No. 444. An Act requiring all foreign corporations, except foreign insurance companies, and except for-

eign corporations of a purely charitable, social, fraternal, benevolent and religious nature, and not operated for profit, to file with the Secretary of State at Frankfort, Kentucky, a certified copy of its Articles of Incorporation, and annually a sworn statement of its assets, liabilities, amount of capital stock paid up and issued, the location of its places of business in this Commonwealth and the names of its agents upon whom process can be served, and any amendments to its Articles of Incorporation; and requiring the payment of an annual fee of ten dollars for such statements so filed; and fixing the penalty of doing business without having first filed said statement.

With the expression of opinion that same ought to pass.

By Mr. Lazarus, of the Committee on Kentucky Statutes:

House Bill No. 491. An Act relating to the number of ballots to be printed and furnished by the County Court Clerks of this Commonwealth in all primary elections and in all general elections at and in which women are entitled to vote.

With the expression of opinion that same ought to pass.

By Mr. Neel, of the Committee on Revenue and Taxation:

Senate Bill No. 39. An Act entitled an act to amend an act approved March 20th, 1914, Chapter LXIX, session 1914, Carroll's Statute, section 2739, to regulate, license and govern use of Motor Vehicles and provide penalty for a violation thereof.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 489. An Act providing for the payment, by direction of the Governor, of court costs and expenses of filing and taking of depositions and witness fees in certain proceedings by or on behalf of the Commonwealth to vacate or set aside any order or judgment of the court assessing for taxation for State purposes any property or omitted property,

upon the ground of inadequacy, mistake, fraud or other ground, and seeking to cause a larger assessment to be adjudged, and declaring an emergency.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 427. An Act providing for and authorizing an appeal in all proceedings now pending in the County Courts of any county of this Commonwealth, or that may hereafter be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of the Commonwealth, or for the purpose of collecting the inheritance tax due by any estate.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 428. An Act to amend and re-enact Section 4225 of the Kentucky Statutes (Carroll's 1918 Edition), relating to organization tax of corporations.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 466. An Act imposing a license tax on taverns and hotels, and defining same; on trading stamp companies, and defining same; on wholesalers and jobbers of cigarettes; on billiard and pool tables; for bottling soft drinks; on oleomargarine dealers; railroad eating houses; dealers in patent and proprietary medicines; restaurants; real estate agents, and defining same; on shooting galleries; on retail dealers in soft drinks and ice cream, and defining same; on theaters, and defining same; on gasoline filling stations; garages; on garages and gasoline filling stations combined; and automobile agents.

With the expression of opinion that same ought to pass.

By Mr. R. Lee Stewart, of the Committee on Criminal Law:

House Bill No. 219. An Act amending Section 115 of the Kentucky Statutes relating to the crime of carnally knowing a female under sixteen years of age, or an idiot.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 502. An Act prohibiting the practice of spirit mediumship, palmistry, card reading, astrology, seership, fortune telling, and providing a penalty therefor.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 262. An Act making it unlawful for persons to permit the running of horses, mules, cattle, hogs, sheep and live stock of any and all kinds at large upon the streets and alleys of towns of the Fifth Class and providing a penalty therefor.

With the expression of opinion that same ought to pass with an amendment.

By Same:

An Act to regulate and license the manufacturing, altering, repairing, finishing or making for wages or for sale any coats, vests, pants, trousers, overalls, cloaks, hats, caps, suspenders, jerseys, blouses, dresses, waists, waist bands, underwear, neckwear, knit goods of any kind, furs, fur trimmings, fur garments, skirts, shirts in dwelling or tenement houses and to provide for punishment for violation thereof.

Without expression of opinion.

Mr. Waggoner moved that said bill be read the first time and placed in the Calendar.

Said motion was agreed to.

By Mr. Lawrence, of the Committee on Judiciary:

House Bill No. 453. An Act authorizing Judges of Circuit Courts, other than Courts of continuous session, to change the terms of their courts and repealing all laws in conflict with same.

With the expression of opinion that same ought to pass with an amendment.

By Same:

Senate Bill No. 57. An Act to amend an Act approved February 26, 1912, entitled "An Act to amend an Act approved March 8, 1904, entitled 'An Act for the relief of the Court of Appeals, approved October 5, 1900,' " and which is now Section 962-a, Carroll's Kentucky Statutes, 1915 Edition.

With the expression of opinion that same ought to pass.

By Mr. Day, of the Committee on Public Ditches and Fences:

House Bill No. 439. An Act to amend Section 2380 of the Kentucky Statutes, Carroll's Edition, 1915, and Sub-Section Thirty-Five (35) of said Section.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 474. An Act to amend and re-enact Sub-Section 26 of Section 2380 of the Kentucky Statutes, being Section 26 of an Act of the General Assembly of the Commonwealth of Kentucky approved March 19, 1912, entitled: "An Act relating to the drainage of lands, the establishment and construction of public ditches, levees, and drains, and the straightening, widening, deepening or otherwise improving public levees, ditches, drains, creeks, or non-navigable

streams, prescribing the method of procedure, the assessment and collection of the cost and expenses thereof, creating and incorporating Boards of Drainage Commissioners, and prescribing the duties and providing for the payment of officers and employees having duties to perform hereunder.

With the expression of opinion that same ought to pass.

By Mr. Alfrey, of the Committee on State Capitol:

House Bill No. 142. An Act to appropriate money to purchase ground to straighten the State Line and beautify the approach to the Capitol.

Without expression of opinion.

Mr. Hamilton moved that said bill be read the first time and placed in the Calendar.

By Mr. Roth, of the Committee on Municipalities:

House Bill No. 225. An Act providing for county libraries and for the extension of library privileges to counties in this Commonwealth.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 224. An Act to amend and re-enact sections 3, 5 and 7 of an act entitled "An Act to create the Kentucky Library Commission, to define its powers and duties and to provide for its expenses," which act is Chapter XXVII, Acts 1910, approved March 17, 1910.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 226. An Act relating to free public libraries in cities and towns of the second, third, fourth, fifth and sixth classes of this Commonwealth.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 392. An Act to amend an Act entitled, "An Act to amend an Act entitled, 'An Act for the government of cities of the second class in the Commonwealth of Kentucky,' which was approved March 19, 1894, and thereafter in due course became a law, and as same, has since been amended, all of which said Act and amendments now appear as Article 3, of Chapter LXXXIX, of the Kentucky Statutes, in John D. Carroll's Edition thereof in 1909," which was approved on March 21, 1910, by adding a Section thereto.

With the expression of opinion that same ought to pass.

By Mr. Morgan, of the Committee on Agriculture:

House Bill No. 335. An Act to amend Section 18 of Chapter CXII of the Session Acts of 1918 of the General Assembly of Kentucky, said amendment authorizing the Sheriff and his deputies to kill unlicensed dogs found running at large, and providing for the payment of the Sheriff and his deputies for such service.

Without expression of opinion.

Mr. Roth moved that said bill be read the first time and placed in the Calendar.

By Same:

House Bill No. 452. An Act repealing Sections 15 and 16 of Chapter CXII of the acts of the General Assembly, 1918 relating to dogs, the promotion of live stock industry and the protection of live stock and poultry from damage by dogs, etc., and re-enacting the same with certain modifications thereof.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 473. An Act to authorize the incorporation in each county of the State of Kentucky of a County Farm Bureau for the advancement and improvement of agriculture, home economics, animal industry and horticulture, co-operating with the College of Agriculture of the University of Kentucky and the United States Department of Agriculture, to define the powers and rights of such farm bureaus and its members, to provide for appropriation by county fiscal courts or county commissioners in aid thereof and to provide for the Federation of such county Farm Bureaus.

With the expression of opinion that same ought to pass.

By Mr. Wash, of the Committee on Education No. 1.

Senate Bill No. 45. An Act repealing Sub-Section 2, of Section 4469-a, Kentucky Statutes, Carroll's Edition 1915, and enacting in lieu thereof a new Sub-section.

With the expression of opinion that same ought to pass.

By Same:

Senate Bill No. 167. An Act repealing Sub-section 1, of Section 4521-a, Kentucky Statutes, Carroll's Edition 1915, being the same as Section 213, of Chapter XVII of the Common School Law of 1918, and also Section 216 of the Common School Law 1918, and enacting in lieu thereof new provisions relating to the compulsory attendance of pupil children in the common schools of this State.

With the expression of opinion that same ought to pass.

By Same:

Senate Bill No. 90. An Act repealing Sections 177, 178, 183, 185, 186 of the Common School Law, the same being Sections 4501, 4502, 4502-a-4, 4503, respectively, of the Kentucky Statutes, Carroll's Edition, 1915, relating to the certification

of teachers and granting of common school diplomas and re-enacting in lieu thereof new provisions.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 443. An Act to regulate the conference of degrees by educational institutions.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 459. An Act to authorize and permit Boards of Trustees and Boards of Education in the Districts, Counties and Cities in this State to employ nurses to care for certain children enrolled as pupils, and to employ dentists to care for mouths of such children as shall need such attention.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 437. An Act to better enable the several counties in this Commonwealth to provide for the erection, equipment and maintenance of common and high school buildings, and supplement the salaries of teachers, and extend the terms of schools, to set apart for said purpose all escheated property in this Commonwealth.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 345. An Act to authorize Boards of Education of cities of the first class to confer upon students who have completed the full course in the Normal School of such cities an advanced certificate to teach in the public schools of the State.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 495. An Act providing for the compulsory study of the elements of the geography and geology of Kentucky in all public high schools, and other schools of like grading, in the Commonwealth of Kentucky; and providing for a free text book for use in the instruction of same.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 480. An Act empowering the Board of Trustees of any graded common school district to condemn any land deemed necessary by said board, not exceeding ten acres, for a site for a graded common school, and providing the manner in which said land may be condemned.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 456. An Act imposing the duties of the State Text Book Commission upon the State Board of Education and repealing Sub-Section 1, of Section 4421-a, Kentucky Statutes.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 433. An Act to amend and re-enact Chapter CXXXVIII of the Acts of the General Assembly of 1918 which was an Act to unify previous Acts of the General Assembly relating to schools of all classes.

With the expression of opinion that same ought to pass.

By Same:

House Bill No. 399. An Act to amend and re-enact Section 4464 Kentucky Statutes, Carroll's Edition 1918, relating

to districts—boundary, election to establish, dissolution of district.

With the expression of opinion that same ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the Calendar.

By Mr. Neel, of the Committee on Revenue and Taxation.

House Bill No. 140. An Act to amend and re-enact Section 1 of Chapter CXXX of the Acts of the General Assembly of 1918 which was approved March 29, 1918, relating to the conference of the County Tax Commission.

With the expression of opinion that same ought not to pass.

The Speaker stated the question, "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By Mr. R. Lee Stewart, of the Committee on Criminal Law:

House Bill 458. An Act making it unlawful to advertise breeding stock giving terms for season, pedigree, etc.

With the expression of opinion that same ought not to pass.

The Speaker stated the question, "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

House Bill 220. An Act creating the office of special Commonwealth's Attorney, prescribing his duties and fixing his compensation.

With the expression of opinion that same ought not to pass.

The Speaker stated the question, "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By same:

House Bill 21. An Act to amend Section 1301 Kentucky Statutes, prescribing the power to punish for contempt by justices and other inferior courts by increasing the power of judges of county courts in counties having more than 150,000 inhabitants to punish for contempt.

With the expression of opinion that same ought not to pass.

The Speaker stated the queston, "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By Dr. Gossett, of the Committee on Tuberculosis:

House Bill 292. An Act relating to public health; to provide State aid for the acquisition, construction, equipment and maintenance of Tuberculosis District Sanatoria in this Commonwealth and in making improvements, betterments and additions thereto.

With the expression of opinion that same ought not to pass.

The Speaker stated the question, "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

By Mr. Roth, of the Committee on Municipalities:

House Bill 260. An Act to amend Section 3146 of Carroll's Edition of the Kentucky Statutes.

With the expression of opinion that same ought not to pass.

The Speaker stated the question, "Shall said bill be read the first time and placed in the calendar, the report of the committee to the contrary notwithstanding?"

Said question was decided in the negative.

Unanimous consent being given, Mr. Vance offered the following joint resolution:

A joint resolution authorizing M. M. Logan to sue the Commonwealth of Kentucky for the value of legal services rendered in a suit instituted by V. O. Gilbert, Superintendent of Public Instruction to determine whether the school fund was entitled to a part of the inheritance tax.

Whereas, the Honorable R. L. Green, Auditor of Public Accounts, construed the inheritance tax laws to mean that the public school fund was not entitled to any part thereof collected by the State of Kentucky; and

Whereas, the then Attorney General, Honorable Charles H. Morris, advised the Auditor of Public Accounts and the school fund was not entitled to any part of the said inheritance tax; and

Whereas, the Superintendent of Public Instruction had no one to represent his department, and the school teachers throughout the State, in determining the question; and

Whereas, the said Gilbert employed M. M. Logan to represent his department, and the school teachers throughout the State, in said litigation and agreed to pay him for said services out of the sum recovered for the school fund, if he had authority so to do; and,

Whereas, the said Logan and Gilbert came to the conclusion that the contract made by the said Gilbert with the said Logan would not be sufficient authority for the payment of compensation to said Logan: and

Whereas, the said Logan represented the Department of Education, and the school teachers throughout the State, in the said litigation in the Franklin Circuit Court where said case was decided against the Department of Education and the teachers; and

Whereas, said case was appealed to the Court of Appeals where said Logan still continued to represent said parties and where it was decided that the school fund was entitled to share in the inheritance tax thereby making immediately available almost $500,000.00, of which said school fund had been deprived, and entitling the said fund to share in the inheritance tax which might be collected in the future; and,

Whereas, the said Logan has not been paid anything for his services, and believeing he is justly entitled to a reasonable compensation to be determined from the facts now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said M. M. Logan is hereby authorized and permitted to institute a suit against the Commonwealth of Kentucky in the Franklin Circuit Court under the style of M. M. Logan, plaintiff, vs. John J. Craig, Auditor of Public Accounts, defendant, in order that said court may determine and allow, after a consideration of the proof as to the value of said services, a reasonable fee to said Logan for his services in the above mentioned litigation, and when said judg-

ment becomes final, the Auditor of Public Accounts is directed to issue to said M. M. Logan his warrant upon school fund of the State for the sum of said judgment and the Treasurer is directed to pay said warrant out of the school fund.

§ 2. Either party may appeal from the judgment from the Franklin Circuit Court to the Court of Appeals and the case may be settled and adjusted with the consent and approval of the Attorney General the same as any other civil case.

§ 3. Nothing in this resolution shall be construed to render legal or binding, any alleged contract or agreement with said M. M. Logan made by any officer of the Commonwealth of Kentucky which without this resolution would be illegal and void, or render conclusive on the court any statement of fact made herein, but the court may consider all the conditions and circumstances and if it shall appear that there was a necessity for such legal services and that the Department of Education could not have procured such legal services from the legal department of the State, then the court may award to the said M. M. Logan such a sum as they determine to be reasonable compensation for such services.

Provided that all the costs of this action shall be paid to the clerk of the Franklin Circuit Court out of the amount awarded to the said M. M. Logan, and provided further, that any amount so awarded to M. M. Logan in any such suit shall not exceed $3,500.

Under the rules said resolution lies over one day.

Mr. Waggoner moved that the House do now adjourn.

Said motion was adopted.

Then the House at 5:20 P. M. adjourned.

FRIDAY, FEBRUARY 27, 1920.

The House was called to order at 10:00 A. M. by the Speaker.

The House was opened with prayer by Father O'Dwyer of the Catholic Church.

The roll call to ascertain a quorum resulted as follows:

Lon Adams	J. W. Johnson	E. E. Shannon
Sidney Alfrey	Henry Kaufman	Dr. B. F. Shields
L. H. Ballard	Griffin Kelly	H. G. Skiles
W. T. Carner	Frank Kennard	S. G. Smith
J. F. Carr	W. L. Kimbrough	H. A. Spillman
Charles M. Ciarlo	J. M. Knott	R. Lee Stewart
A. S. Cooper	Dr. S. D. Laughlin	John T. E. Stites
B. L. Cox	Joseph Lazarus	T. R. Stultz
J. S. Cruse	Elmer Lusby	Dr. D. J. Travis
H. N. Dean	I. S. Mason	C. B. Truesdell
H. C. Duffy	A. J. McCandless	J. Wood Vance
J. M. Foster	R. L. McFarron	Daniel Vose
Dr. T. H. Gamblin	Harry J. Meyers	Geo. C. Waggoner
B. J. Geohringer	Claude D. Minor	J. S. Webb
J. W. Geveden	John T. Murphy	Gladstone Wesley
Dr. W. L. Gossett	Estill W. Neel	W. G. Wheeler
A. F. Hanberry	Chas. A. Nelson	R. E. Wilborn
D. J. Howard	Sherman Robbins	W. N. Winn
A. R. Hudson	Chas. R. Scott	Present....58
R. O. Huntsman	W. P. Scott	

On motion of Mr. Lawrence, the reading of the Journal of yesterday was dispensed with and the Journal was approved.

House Resolution No. 25, entitled:

"House Resolution 25. Joint resolution for the benefit of Edgar McCandless, janitor of the House," was sent to the

Senate by Mr. Humphreys with a message that the House had passed said resolution, and that it asks the concurrence of the Senate therein.

Indefinite leave of absence was granted to Messrs. Holliday and Bowling.

Mr. J. P. Marco, former representative from McCracken, was given the privileges of the floor.

Mr. Wilborn was given leave of absence until next Thursday morning.

REPORT OF STANDING COMMITTEE.

By Mr. Hudson, of the Committee on State Prison and Houses of Reform:

House Bill 465. An Act to amend and re-enact Section 10 of Chapter LIV of the Acts of the General Assembly of 1918, which relates to the establishment of a farm colony for the feeble minded, and the purchase of land therefor.

With the expression of opinion that same ought to pass.

Said bill was read at length the first time and ordered to be placed in the calendar.

The following pair was announced:

Mr. Kimbrough, who will be absent, with Mr. Day on all party and administration measures.

Mr. Kimbrough, if present, would vote "yea" on such measures.

The pair is to be effective until adjournment on Wednesday afternoon of next week.

A message was received from the Senate announcing that it had passed Senate Bill No. 249, entitled:

An Act to regulate and fix the charges on storage and custodianship of distilled spirits held in bonded warehouses.

Said bill was ordered to be printed and referred to the Committee on Agriculture.

Mr. Meyers moved that the consideration of House Bill No. 134 be postponed indefinitely.

After some discussion, the motion by unanimous consent was withdrawn.

Mr. Hardin moved to suspend the rules and call up for immediate consideration House Resolution No. 24, which reads as follows:

JOINT RESOLUTION.

Whereas, there is an imperative demand upon the Legislature to take cognizance of the conditions existing in many counties of this State as a result of a crude system of fiscal affairs that has outgrown its usefulness and that fails to measure up to the needs of the hour; and

Whereas, the members of the fiscal courts of the various counties are allowed practically no remuneration for the very important services they are supposed to perform; and

Whereas, the office of Justice of the Peace is one of the most important within the gift of the people; and

Whereas, it would be impractical to attempt to enact any law within the time remaining to this Legislature for that purpose, that would comprehend a just and equitable revision of the cumbersome and unsatisfactory fiscal system now in vogue in the counties of this Commonwealth; and

Whereas, time and careful study will be necessary to secure a practical and workable revision of our present law relating to Courts of Justices of the Peace; therefore,

Be it resolved by the House of Representatives and Senate of the Commonwealth of Kentucky:

That the Speaker of the House and the President of the Senate name a committee of investigation, to be composed of three members of the present House of Representatives, to be named by the Speaker, and two members of the Senate, to be named by the Lieutenant Governor, the duty of this commission to be to make a complete survey of the fiscal affairs of the counties of this State, as the same relates to the fiscal courts and the justices courts thereof, and to secure information from other States as to the methods in vogue in such other States in the management of county affairs, and to secure such other information as will assist the Legislature of Kentucky in dealing with the vital question in an intelligent manner. The commission herein constituted shall make its investigation and file a written report with the General Assembly which meets in January, 1922.

The commission shall have power to summon witnesses, to administer oaths, examine records and perform such other duties as may be reasonably necessary in the performance of its duties. The members shall serve without compensation, but their actual and necessary expenses while engaged in their investigation shall be paid by the Commonwealth, upon presentation of same, approved by the chairman of said commission.

Mr. Waggoner offered the following amendment:

Amendment No. 1. Add at the end of said resolution the following:

"This shall apply to counties having commission form of government also."

Said amendment was agreed to.

Mr. Hardin offered the following amendment:

Amendment No. 2. Add at the end of said resolution the following:

"Provided, however, the total expense incurred by the commission contemplated by this resolution shall not exceed $500."

Said amendment was agreed to.

The yeas and nays being taken upon the passage of said resolution as amended resulted as follows:

Those who voted in the affirmative were:

Lon Adams
W. T. Beckham
S. M. Bennett
J. M. Billiter
Roy J. Cain
W. T. Carner
J. F. Carr
Charles M. Ciarlo
A. S. Cooper
B. L. Cox
J. S. Cruse
P. A. Day
J. B. Denues
Dr. T. H. Gamblin
B. J. Geohringer
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. F. Hanberry
E. C. Hardin
D. J. Howard
A. R. Hudson
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Griffin Kelly
Frank Kennard
W. L. Kimbrough
J. M. Knott
Hebron Lawrence
Rev. J. A. Lee
Elmer Lusby
I. S. Mason
A. J. McCandless
R. L. McFarron
Harry J. Meyers
Mack J. Morgan
Estill W. Neel
Chas. A. Nelson
T. C. Pryse
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
B. A. Roth
Chas. R. Scott
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
H. A. Spillman
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John B. Thomas
J. Mack Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
Geo. C. Waggoner
A. M. Wash
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
V. M. Williamson
W. N. Winn

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Voting in the negative:

H. C. Duffy —1

So said resolution was adopted as amended.

Mr. Hardin moved that the vote by which said resolution was passed be reconsidered and that that motion lie on the table.

Ordered, that said resolution be engrossed and sent to the Senate.

After a time the Chief Clerk reported that said resolution had been engrossed and had been sent to the Senate with a message announcing its passage and asking the concurrence of that body.

Mr. Hudson moved to suspend the rules and take up for immediate consideration House Bill No. 475.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 475.

House Bill No. 475. An Act providing for the erection of monuments in the various counties of this Commonwealth in honor of soldiers, sailors, marines and Red Cross nurses who diéd in the recent war with Germany and Austro-Hungary; appropriating money therefor, providing land for such purposes and manner and method in which monuments are to be erected.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That in any county of this Commonwealth wherein fifty per cent of the soldiers, sailors, marines and Red Cross nurses who died in foreign countries or died in camp in this country have been brought back to their home county for burial and having been buried, the State of Kentucky shall appropriate to said county or counties a sum of money equal to that appropriated by the fiscal court of said counties or by private subscription for the purpose of providing a suitable burial place in a cemetery. The county judge of each respective county and the fiscal court or county commissioners shall act as a board in providing such places in cemeteries or providing the burial places alone for said soldiers, and said places provided for the burial ground of the said soldiers, sailors, marines, and Red Cross nurses shall be county property.

The sum of money to be appropriated by the state shall not be in excess of $1,000.00. If, however, there are funds contributed in the county, this is to be in addition to the amount appropriated by the county or by private subscriptions. The state, when said monument is constructed, shall serve to the Auditor a memorandum as to the erection of the said monuments and the amount of money so expended. The Auditor is directed to draw a warrant on the Treasurer of the State of Kentucky, payable to the fiscal court of said counties for the purpose of paying for the said monuments.

Mr. Lee offered an amendment by way of substitute.

Said amendment reads as follows:

An Act providing for the erection of monuments in the various counties of this Commonwealth in honor of soldiers, sailors, marines and Red Cross nurses who died in the recent war with Germany and Austro-Hungary; appropriating money therefor, providing land for such purposes and manner and method in which monuments are to be erected.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That in any county in this Commonwealth wherein the soldiers, sailors, marines and Red Cross nurses who died in foreign countries or died in camp in this country have been brought back to their home county for burial and having been buried, the State of Kentucky shall appropriate to said county or counties a sum of money equal to that appropriated by the fiscal court of said counties or by private subscription for the purpose of providing a suitable burial place in a cemetery. The county judge of each respective county and the fiscal court or county commissioners shall act as a board in providing such places in cemeteries or providing the burial places alone for said soldiers and said places provided for the burial ground of the said soldiers, sailors, marines and Red Cross nurses shall be county property. The sum of money to be appropriated by the State shall not be in excess of $1,000. If, however, there are funds contributed in the county, this is to be in addition to the amount appropriated by the county or by private subscriptions. The monument so erected shall be to the memory of all soldiers, sailors, marines and Red Cross nurses wherever buried. The State, when said monument is constructed, shall serve to the Auditor a memorandum as to the erection of the said monuments and the amount of money so expended. The Auditor is directed to draw a warrant on the Treasurer of the State of Kentucky, payable to the fiscal court of said counties for the purpose of paying for the said monuments.

Said substitute was agreed to.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Frank Kennard	W. P. Scott
S. M. Bennett	J. M. Knott	Dr. B. F. Shields
J. M. Billiter	Dr. S. D. Laughlin	H. G. Skiles
W. T. Carner	Hebron Lawrence	S. G. Smith
J. F. Carr	Joseph Lazarus	H. A. Spillman
T. L. Caudel	Rev. J. A. Lee	R. Lee Stewart
A. S. Cooper	Elmer Lusby	John T. E. Stites
B. L. Cox	R. C. Marcum	Frank L. Strange
J. S. Cruse	I. S. Mason	John B. Thomas
P. A. Day	R. L. McFarron	C. B. Truesdell
H. C. Duffy	H. C. McLellen	John L. Trumbo
B. J. Geohringer	Claude D. Minor	J. Wood Vance
J. W. Geveden	Estill W. Neel	Dr. T. R. Welch
E. C. Hardin	Chas. A. Nelson	Gladstone Wesley
A. R. Hudson	T. C. Pryse	W. G. Wheeler
Robt. Humphreys	B. F. Reynolds	R. E. Wilborn
R. O. Huntsman	Sherman Robbins	V. M. Williamson
Griffin Kelly	Lee Rogers	—53

Resolved, That the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Roth moved to postpone the special order, House Bill No. 350, until the business under consideration is disposed of.

Said motion was agreed to.

Mr. Lawrence moved to re-commit House Bill No. 475.

Said motion was agreed to.

Mr. Roth called up from the Orders of the Day, the special order, House Bill No. 350.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 350. An Act providing for the establishment and maintenance, in counties having therein a city of the first class, of an institution for the care of neglected, dependent, delinquent, and other children; and providing for the creation and maintenance of a board to establish and maintain such institution, and defining the powers and duties of said board; and permitting, in such counties, a consolidation, under such board, of municipal and county institutions engaged in such work; and providing for the conveyance to, and the acceptance by, such board, of property for the use of such board in carrying out the purposes of this act; and authorizing the levy and collection of taxes to raise funds for the purposes of this act; and repealing the act approved March 15, 1912, entitled, "An Act creating a Parental Home and School Commission in counties containing a city of the first class, defining the powers and duties thereof, and empowering fiscal courts to levy a tax to create funds for the purposes of this act;" and repealing the act approved March 9, 1854, creating the Board of Managers of the Louisville House of Refuge and all acts amendatory thereof, and supplemental thereto, relating to the Louisville House of Refuge and to the Louisville Industrial School of Reform, including the act approved March 3, 1860, the Act approved January 27, 1866, the Act approved January 31, 1867, the Act approved February 27, 1867, the Act approved March 29, 1873, and the Act approved May 13, 1886, and for other related purposes.

Whereas, the results of experience in the management of the Louisville Industrial School of Reform, located in Louisville, a city of the first class, and the Parental Home and School Commission of Jefferson County, wherein said city is located, indicate that a single institution charged with ample

powers to provide for the care, maintenance, training, and education of the children now respectively cared for, maintained, trained and educated in said two institutions, may be operated and maintained for less expense, and with greater efficiency, than both of said present institutions when operated and maintained separately; and,

Whereas, what may prove true of Jefferson County will likely prove true in all other counties of the state wherein there may be a city of the first class; and,

Whereas, it would appear wise to consolidate and combine into one institution, as nearly as possible, all such work in counties having therein cities of the first class. Now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Appointment of Members of Board—Terms of Office—Manner of Appointment—Service Without Compensation—Vacancies.—In each county of the Commonwealth in which there is a city of the first class, there shall be created a bi-partisan board, to be composed of ten (10) members, two of whom shall be women, which board shall be a body politic and corporate and shall be known as the "Board For (name of city) and (.....) County Children's Home;" and in such corporate name said board may sue and be sued, contract and be contracted with, acquire real and personal property by gift, purchase, or condemnation; and may do all other things which may be reasonable or necessary to effectively carry out the work, and to properly perform the duties, intended or required by this act. The members of said board shall be appointed jointly by the Mayor of such city and by the judge of the county court of such county. Each such member shall be not less than twenty-five (25) years of age, and must be a bona fide resident of such county. One-half of such members shall be of the one political party, and the other half of the other political party, which, at the last preceding general election in such county, respectively, cast the highest. and the next highest, number of votes. Three members of said board shall serve terms of two years each, when their

successors shall be appointed, who shall serve for terms of four years each; three members shall serve for terms of three years each, when their successors shall be appointed, who shall serve for terms of four years each; and four members shall serve for terms of four years each, when their successors shall be appointed, who shall serve for terms of four years each; and annually thereafter there shall be appointed sufficient members of said board to fill the vacancies caused by expiring terms, and all such subsequent appointments shall be for terms of four years each. Said board shall be continuously divided between members of the two leading political parties as hereinbefore provided. Vacancies in said board, whether occurring during the term, or at the close of the term, of any member, shall be filled, in like manner, by the joint appointment of the County Judge and Mayor aforesaid, whose duty it shall be to make any appointment to fill a vacancy occurring during a term, or at the close of a term, within thirty (30) days after such vacancy occurs; and if said County Judge and Mayor shall, within such thirty (30) day period, fail or refuse to make such appointment, the remaining members of such board shall have the right, and they are hereby authorized, to make the appointment to fill such vacancy, and the person so appointed shall serve accordingly. In any case of vacancy in said board, the board shall immediately certify the fact of such vacancy and the reason therefor, to the said County Judge and to the said Mayor, respectively. The members of said board shall serve without compensation.

§ 2. Organization and Officers of the Board—Superintendent and Other Officers—Maximum Expenditure.—The said board, upon the appointment of its members, shall organize and elect officers. It shall elect a chairman from its members, to serve for the term of one year, and it shall annually elect thereafter a chairman. The board shall have power to select a superintendent of the institution, whose creation is herein provided for, and the compensation of such superintendent, to be fixed by the board, shall be, in addition to maintenance for himself and his immediate family, a salary not exceeding three thousand ($3,000.00) dollars per year; and he shall live in the institution, and shall serve at the pleasure of the board. The board shall also have the power to authorize

the employment of such other officers and employes as it may deem necessary to properly carry on the work of the board and of such institution, and the board shall fix the compensation of such additional officers and employes; but the compensation of any such additional officer or employe shall not exceed that of the superintendent; and the said superintendent is hereby empowered and authorized to employ and discharge such additional officers and employes of said institution, except parole officers. The board shall not incur, in any year, or permit the incurrence of, any liability or expense beyond the total funds derived, or to be derived, for such year, through the levying and collection, for carrying out the purposes of this act, of the taxes for such year, supplemented by income of the institution, and by any gifts or donations in money, or reduced to money, which may be made to the board for the benefit of such institution and for the work of the board.

§ 3. Property for Home.—Said board is hereby empowered and authorized to acquire either by lease, or by purchase, or by gift, or condemnation, all farm lands or other property necessary or suitable for establishing the institution herein provided for, and herein known as the "Home;" to erect, equip, operate, and maintain on such lands such suitable buildings as may be necessary for the care, custody, maintenance, education, and training of such dependent, neglected, delinquent, orphan, or other children as may be committed to it by order of the county judge or juvenile court judge, or as may otherwise be received by said board into said Home under the provisions of this act. Said Home shall be located and maintained in the county wherein such board is created and acting.

§ 4. Tax for Purchase of Lands, Buildings, and Equipment—Right to Use, Sell, Exchange, or Mortgage Property.—In order to provide money for the purchase of farm lands and other property, and for the purpose of creating and equipping necessary buildings for the needs and purposes of said Home, the fiscal court of the county and the general council of each city of the first class located in such county in which any such board shall exist, are empowered and directed, each, so long as the need therefor may continue or whenever the need there-

for may arise, to annually levy and collect a tax not exceeding three (3) cents on each one hundred ($100.00) dollars' worth of taxable property in such county and city, respectively, as determined by the last previous assessment in said county and city, respectively; and to set apart all monies so collected as a separate fund for the purposes of this act until a sufficient amount shall have been accumulated for the purchase of such farm lands and other property, and for the erection and equipment of suitable and adequate buildings and premises for the purposes of said Home; and said fund thus created, shall be paid over to, and shall be under the control of said board, and shall be used only for such purposes: Provided, however, that if and whenever, agreeably to the provisions of this act, there are donated, transferred, and conveyed to said board, farm lands, grounds, buildings, equipment, funds, or other property, sufficient (together with whatever property may be already acquired or available therefor), to enable said board to make—through the use, lease, sale, exchange, mortgage, or pledge thereof—the purchase or acquirement of all farm lands, grounds, buildings, and equipment needed or required for the purposes of said Home, the tax levies and collections provided for in this section shall cease to be made until the need therefor—as indicated by the board, and as approved by the aforesaid fiscal court and general council—shall again arise. Power and authority are hereby given to said board to raise or secure—through the use, lease, sale, exchange, mortgage or pledge of any property donated, transferred, or conveyed to the board, or acquired by it—funds or securities or other property for the purpose of acquiring, establishing, and improving such Home; Provided, however, that the action of the board in making any sale, exchange, mortgage, or pledge of any real estate owned or held by the board, must be approved by the aforesaid judge of the county court and mayor.

§ 5. Tax for Maintenance.—For the purpose of providing necessary funds for maintaining such Home and for carrying out the purposes of this act, other than those named in Section four (4), the fiscal court of the county wherein such Home is established, and the general council of each city of the first class in such county, are empowered and directed, each, to levy and collect a tax of not less than three (3) cents nor

more than five (5) cents on each one hundred ($100.00) dollars' worth of taxable property in such county and city, respectively, as determined by the last regular assessment of said county and city, respectively; and all funds derived from such levies and collections shall be paid over to said board for said purposes. The said board shall not, in any year, expend for the maintenance of said Home and for the aforesaid work of said board, more than the total sum derived through the levy and collection of taxes for such year as herein provided, as supplemented by any funds donated or given to said board for the like purposes, or as supplemented by funds derived from the sale or income of property given to said board for such purposes, and by the income of the Home for such year.

§ 6. Fiscal Year—Budgets.—The fiscal year shall be the same as the calendar year. It shall be the duty of the board, during the month of December of each year, to prepare and certify to the aforesaid fiscal court and general council two financial statements. One of said statements shall show the total funds which, in the judgment of the board, will be needed for the ensuing fiscal year for expenditure under section four (4) hereof, and setting forth, in detail, the sums needed for the different branches or departments of such expenditure; and setting forth, also, the estimated balances, if any, which will be on hand on the first of January following the certification of said statement and available for expenditure during said fiscal year under said section; and indicating, also, as nearly as may be possible, what, if any, additional funds or assets, other than such as may be derived from the levy and collection of taxes for the purposes of said section for said fiscal year, will, under said section, become available, during such year, for expenditure for such year. The other statement shall relate to estimated balances, funds, assets, and expenditures under section five (5) hereof, and shall set forth the same character of detailed information as is required in the first described statement. The board shall also, upon request therefor, furnish to said fiscal court and general council any other data or information within the power of the board to furnish. Then, and so soon as, the said general council, as aforesaid, shall fix the tax levies respectively required of it by the provisions of said sections four (4) and five (5), the

board shall prepare for its own use and guidance budgets, one setting forth the receipts, funds, and assets, from all sources, available, and estimated to become available, for expenditure for such fiscal year for the purposes named in section four (4), and the estimated expenditures, by branches or departments, for such year under section four (4); and another budget setting forth the estimated receipts, funds, and assets from all sources, available, and estimated to become available, for expenditure for such fiscal year for the purposes named in Section five (5), and the estimated expenditure, by branches or departments, for such year under Section five (5). In making said budgets the board shall divide and allot the revenues, funds, and assets estimated to be, and to become, available for such fiscal year, to the various branches or departments of expenditure to be made under sections four (4) and five (5), respectively; and in making disbursements and expenditures for such fiscal year, the board shall, as nearly as may be practicable, conform thereto, with the right of the board, however, to reduce, withhold, or transfer from one branch or department to any other any funds or assets so allotted; provided, however, that taxes levied and collected under Section four (4) shall not be expended for any other purpose than as provided in said section. The board shall inaugurate and maintain in said Home a modern and efficient system of accounting.

§ 7. Board May Borrow Money. The Board shall have power to borrow money on its own credit in anticipation of the revenue to be derived from taxes or other income for the fiscal year in which the same is borrowed; and, for such purpose, the Board may pledge the taxes authorized under sections four (4) and five (5) hereof, or the taxes authorized under either of said sections, and such income; but no money borrowed through the pledge of taxes authorized under section four (4) shall be expended for any purposes other than those named in that section; and no money borrower through the pledge of taxes authorized under section five (5) shall be expended for any purposes other than those named in that section.

§ 8. Reports.—Annually, and within sixty days after the close of each fiscal year, the said Board shall make to the county judge of the county wherein any such Home is located,

and, also, to the mayor of each first class city in such county, for transmission, in turn, to the fiscal court of such county and to the general council of such city, respectively, a report of the fiscal and other operations of said Board and of said Home for the previous fiscal year, accompanied by such information, tables and data as may properly show the character and extent of such operations.

§ 9. Children Who May Be Received into the Home—Discharges—Paroles.—The said Board is hereby authorized and empowered to receive into, and to maintain, in said Home, agreeably to the provisions of law governing the creation, management, and maintenance of said Home, such children, (males under seventeen, and females under eighteen, years of age) residents of the county wherein such Home is maintained, as in the Board's discretion should be received and maintained therein, to-wit: (1) Dependent, neglected, and delinquent children, as now defined by law, who, by the county court, or by the juvenile branch or session thereof, or who, by any other court or officer having like jurisdiction, may be duly committed to said Home; and (2) such other dependent, neglected, delinquent, orphan, or other children of such county as the Board may, in the absence of any judicial or official commitment, find it convenient, or for the best interest of such children, to receive into said Home, and same may be maintained therein until 21 years old, unless sooner discharged. All children received into said Home by commitment of any court or officer of competent jurisdiction as herein provided, shall be kept, maintained, trained and educated therein for such periods for which they may be respectively committed; Provided, however, that such Board shall have the right and authority to release or discharge from said Home any child maintained therein, at any time it deems such discharge to be for the best interest of said Home, or of the children therein, or for the best interest of any child so discharged; and such release or discharge may be absolute, or conditional, or temporary, or on parole, as the Board, in its discretion, may determine to be proper.

§ 10. Employment, Training, and Education of Children. —The said Board is hereby empowered and directed to provide and maintain, and to cause to be provided and main-

tained, for the children received into said Home, such schools and forms of instruction in branches of useful, practical knowledge as may be proper or necessary for their education, and for the acquirement and practice by said children of useful labor or trades, as may be suitable to their years and capacity; and it shall be the duty of the Board to cause the employment and occupation, in such way, of said children, in said Home, and on the grounds and premises thereof. The Board shall have power, within its discretion, to bind out any of said children as apprentices to such persons, and at such places, to learn proper trades and employments, as in the judgment of the Board may be most conducive to the reformation, or amendment, or benefit, or advantage of such children; Provided, however, that said Board may at any time discharge any inmate of said Home, if, in the judgment of the Board, such discharge should be made but shall not have authority either to retain in the Home, or to bind out, any boy or girl, after he or she is twenty-one (21) years of age.

§ 11. Board to Make Regulations. The said Board shall have full power and authority to make all rules and regulations, not inconsistent with law, necessary or proper for the effective management of said Home, and of the property owned, held, or controlled by said Board, and for the maintenance, training and education, grading, discipline, discharge, and parole of the children received into said Home, and all children received into said Home shall be subject to such rules.

§ 12. Classification and Segregation of Children. The said Board shall cause to be carefully and appropriately classified, segregated, separated, maintained, and trained all children received into said Home, making and maintaining such classification, segregation and separation according to race, sex, and condition of facts as to delinquency or conviction for the commission of offenses, or bad conduct of such children; and the Board is also empowered to make such further or other classification, or segregation or separation of such children as to age, or conduct, or as to other matters, as the judgment and experience of the Board may prove to be wise. The said Board shall cause to be constructed or provided and maintained such buildings, grounds, equipment, premises, and units as may be necessary to effectively carry out the provis-

ions of this Act. The Board shall exercise special care to prevent association or contact between children whose habits and conduct are good, or who have never been delinquent or incorrigible or convicted of offenses, and those whose conduct has been, or is bad, or who are delinquent or incorrigible, or who have been convicted of offenses.

§ 13. Power of the Board to Acquire Property of Similar Institutions and from Others.—In any county wherein such Board is created or acting, or wherein such Home is established or maintained, under the provisions of this Act, the said Board is hereby authorized and empowered to accept, by deeds or other proper instruments of conveyance, executed as herein provided, the real estate and other property, of whatever character, of any other board or institution within such county, which has been created, or is maintained in whole or in part by any city, or town in such county, or by the county itself, for the general purpose of caring for, training, or educating dependent, neglected, delinquent, or any other children who may, under the provisions of this Act, be received into and maintained in said Home, whether same be an Industrial School of Reform, or a Parental Home, or other similar school or institution. All such property so conveyed to said Board, shall become a part of the property and assets of said Board for the purpose of creating or maintaining such Home, and for carrying out the purposes of this Act; and same shall be held, owned, used and controlled by said Board for such purposes. Where the property of any such institution thus conveyed to said Board, is owned, held, used or maintained, or controlled, in whole or in part, by any city, town, or other municipal division or district in any such county, such conveyance must be first authorized and approved by the general council or other municipal board of such city, town, municipal division or district; and where the property so conveyed is owned, held, used, maintained, or controlled in whole, or in part, by such county, such conveyance shall be first authorized and approved by the fiscal court of such county; and in either of such cases the board of trustees, or board of managers, or board of directors, or other governing body of such institution, or of the body corporate making such conveyance, must also authorize and direct such conveyance to be made; and there-

upon the president and secretary, or other chief officers, of such board or institution, shall execute to such Board in such county created under the provisions of this Act, the proper instrument or instruments conveying such property, in accordance with the authority and approval of such governing body of such institution, or of such body corporate, and agreeably, also, to the authority and approval of such general council, municipal board, or fiscal court, as the case may require under the provisions of this Act. Where any such conveyance of property is made to such Board, the said Board, shall receive into, and maintain in said Home, the children who, at the time of such conveyance, are maintained in the institution, whose property is so conveyed. The said Board is also authorized and empowered to accept for itself to be held, owned, used, and controlled by it for the purpose of this Act, any property donated or given to it by any private institution, person, corporation, or firm—the conveyance of such property to be made to said Board in the usual manner of making conveyances of the title to property, privately owned. Any such conveyance made agreeably to the provisions of this Act shall be in all respects valid and binding. The said Board shall not be compelled to accept any gift or offer of land or improvements or other property which, in the judgment of the Board, may be unsuited for the purposes contemplated by this Act, or the improvement of which would entail an injudicious outlay or expenditure.

§ 14. Title to Property—Exemption from Taxation.—The title to all property acquired for the purposes of this Act, shall vest in said board, and all such property shall be held in strict and inviolable trust for the purposes contemplated by this Act, and free from all taxation, impost, or assessment—State, county, district, municipal, or otherwise. The said board shall have the right to exchange or sell for the benefit, advantage, and use of such home and for the purpose of fully carrying into effect the provisions of this Act, any of the property conveyed to, or owned or held by said board; but all such sales or exchanges of real estate must be authorized or approved by the county judge of the county wherein

such board is acting, and by the aforesaid mayor of the city of the first class in such county.

§ 15. Condemnation of Property.—Whenever, in the opinion of said board, property anywhere within the county wherein such board is created and acting, shall be needed for any of the purposes contemplated by this Act, the said board may, by resolution reciting such need, order the condemnation of such property; and proceedings for such condemnation shall be in the circuit court of such county, and shall be conducted in the name of such board, by the city attorney of the aforesaid city, who shall be the legal representative of the board and the procedure as to such proceedings shall thereupon conform to the procedure prescribed by Section 2852 Kentucky Statutes for the condemnation of property for park purposes for cities of the first class. All property thus acquired by said board shall be held, used, owned, and controlled by it in the same manner as is other property held, used, owned, or controlled by it.

§ 16. Penalties for Aiding Escapes and Return of Escaped Children.—Any person who shall aid, assist, or abet any child to escape from any home established under the provisions of this Act, or shall harbor or conceal any such child knowing such child to have so escaped, shall, on conviction, be punished by a fine of not less than one hundred dollars, nor more than two hundred dollars, or by confinement in the county jail for not less than thirty days, nor more than six months; or by both such fine and imprisonment, within the discretion of the jury. The board shall have the right to reclaim and to bring back to the home any escaped children, and the peace officers of this Commonwealth are hereby charged with the duty of apprehending and returning to such home such children, and at the expense of said home.

§ 17. Parole Officers.—The said board is authorized and empowered, by, and with the approval of the county court of the county wherein such board is acting, to appoint, to serve at the pleasure of the board, one or more persons, of more than twenty-one (21) years of age, as "parole officers," who shall have the power to apprehend, or arrest, and to take into custody wherever found in this Commonwealth, children

who may have escaped from the home which is under the supervision of such board, and to return such child to such home. Parole officers shall also, under the direction of the board, have the authority to convey children of the home to any point in the Commonwealth, and to perform such other duties as the board may require of them. Such officers shall also have the general powers of peace officers. Each of them, upon appointment, shall take the Constitutional oath, and also an oath for the faithful performance of his duties as parole officer. In making in any county of the Commonwealth except that in which such home is located, the apprehension or arrest of any such escaped child, such parole officer shall have first secured a writ of process issued by the judge of the county court wherein such home is located authorizing such parole officer to make such apprehension or arrest and the return of such escaped child to such home, and this writ or process shall be the parole officer's authority in the premises.

§ 18. Definitions.—As used in this Act the term "home," refers to the institution to be established and maintained in any county having therein a city of the first class, agreeably to the provisions hereof; the term "child" refers to any male or female under twenty-one years of age; the term "children" refers to all males and females under twenty-one years of age; and the term "board," unless otherwise limited or qualified herein, refers to the corporate body authorized or created by this Act in any county containing therein a city of the first class; the terms "neglected children," "dependent children," and "delinquent children," have the same meanings they now have in the Acts relating to such children in this Commonwealth, and the juvenile courts therein.

§ 19. Liberal Construction of the Act.—This Act, and all and each of its various provisions and sections, shall be liberally construed in favor of the purposes of the Act as stated herein.

§ 20. Repeal of Parental Home Act.—The Act approved March 15, 1912, entitled "An Act creating a Parental Home and School Commission in counties containing a city of the first class, defining the powers and duties thereof and empowering fiscal courts to levy a tax to create funds for the

purposes of this Act," is hereby declared to be, and to stand, repealed on and after six months after this Act goes into effect. The Parental Home and School Commission for Jefferson County, Kentucky, created under the provisions of said Act of March 15, 1912, is hereby specially authorized, empowered, and directed to convey, without a money consideration, to the Board for Louisville and Jefferson County Children's Home, when created under this Act, all of the property held and owned by the said Parental Home and School Commission for Jefferson County; such conveyance to be agreeably to the provisions of this Act, and for the purposes named herein.

§ 21. Repeal of Louisville House of Refuge and School of Reform Acts.—The Act approved March 9, 1854, creating the Board of Managers of the Louisville House of Refuge and all Acts amendatory thereof, and supplemental thereto, relating to the Louisville House of Refuge and to the Louisville Industrial School of Reform, including the Act approved March 3, 1860, the Act approved January 27, 1866, the Act approved January 31, 1867, the Act approved February 27, 1867, the Act approved March 29, 1873, and the Act approved May 13, 1886, are hereby declared to be, and to stand, repealed on and after six months after this Act goes into effect. The Board of Managers for the Louisville Industrial School of Reform is hereby authorized, empowered, and directed to convey, without a money consideration, to the Board for the Louisville and Jefferson County Children's Home, where same is created under this Act, all of the property owned or controlled by said Board of Managers of the Louisville Industrial School of Reform; such conveyance to be made agreeably to the provisions of this Act, and for the purposes herein named.

§ 22. Further Repeal.—All other Acts, or parts of Acts, in conflict or inconsistent herewith, are hereby repealed.

§ 23. Invalidity of Part of Act—Effect.—If any provision or section of this Act shall be held to be invalid, such fact shall not affect, or render invalid, any other provision or section of the Act; it being the intention of the General Assembly, in enacting this Act, to enact each provision and

section separately; and if any provision or section hereof shall be held to be invalid, such fact shall not affect or render invalid the remaining provisions and sections of the Act.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Dr. Lewis Ryans
H. H. Barnes	Griffin Kelly	Chas. R. Scott
S. M. Bennett	W. L. Kimbrough	W. P. Scott
J. M. Billiter	J. M. Knott	E. E. Shannon
Roy J. Cain	Dr. S. D. Laughlin	Dr. B. F. Shields
W. T. Carner	Hebron Lawrence	S. G. Smith
J. F. Carr	Joseph Lazarus	R. Lee Stewart
T. L. Caudel	Elmer Lusby	Wm. A. Stewart
A. S. Cooper	R. C. Marcum	John T. E. Stites
B. L. Cox	I. S. Mason	Frank L. Strange
P. A. Day	A. J. McCandless	T. R. Stultz
H. N. Dean	Harry J. Meyers	John B. Thomas
Dr. T. H. Gamblin	Claude D. Minor	J. Mack Thompson
B. J. Geohringer	Mack J. Morgan	Dr. D. J. Travis
J. W. Geveden	John T. Murphy	C. B. Truesdell
A. L. Hamilton	Estill W. Neel	John L. Trumbo
A. F. Hanberry	Chas. A. Nelson	J. Wood Vance
E. C. Hardin	T. P. Oliver	Fred C. VanHoose
Dr. W. L. Haynes	T. C. Pryse	Daniel Vose
D. J. Howard	B. F. Reynolds	A. M. Wash
A. R. Hudson	J. L. Richardson	J. S. Webb

Robt. Humphreys	Sherman Robbins	Dr. T. R. Welch
R. O. Huntsman	Lee Rogers	Gladstone Wesley
J. W. Johnson	B. A. Roth	—71

Resolved, That the title thereof be as aforesaid.

Mr. Roth moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be reported to the Senate.

After a time the Chief Clerk reported that that duty had been performed by Mr. Roth, who was named by the Speaker to take said bill to the Senate.

Dr. Ryans moved to suspend the rules and take up for immediate consideration Senate Bill in the House No. 61.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, Senate Bill in the House No. 61.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title.

Mr. Kimbrough moved that said bill be re-committed to the Committee on Appropriations.

Said motion was disagreed to.

Mr. Wash offered Amendment No. 1 to said bill as follows:

Provided, however, that no increase in salary or salaries authorized under this Act shall become effective until the fiscal court, or, in counties having a commission form of government, the County Commissioners shall have first entered upon their records an order stating the necessity for the same and their approval of the increase in salary or salaries.

Upon a division said amendment was lost, yeas 32, nays 42.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Robt. Humphreys	W. P. Scott
Sidney Alfrey	R. O. Huntsman	Dr. B. F. Shields
H. H. Barnes	Griffin Kelly	H. G. Skiles
W. T. Beckham	J. M. Knott	H. A. Spillman
Rodney G. Bryson	Hebron Lawrence	John T. E. Stites
Roy J. Cain	Rev. J. A. Lee	T. R. Stultz
T. L. Caudel	Elmer Lusby	John B. Thomas
Charles M. Ciarlo	R. C. Marcum	J. Mack Thompson
A. S. Cooper	I. S. Mason	Dr. D. J. Travis
B. L. Cox	Harry J. Meyers	C. B. Truesdell
P. A. Day	Claude D. Minor	John L. Trumbo
H. N. Dean	John T. Murphy	Fred C. VanHoose
J. B. Denues	Chas. A. Nelson	Geo. C. Waggoner
H. C. Duffy	T. P. Oliver	J. S. Webb
J. M. Foster	T. C. Pryse	Dr. T. R. Welch
Dr. W. L. Gossett	B. F. Reynolds	Gladstone Wesley
A. L. Hamilton	Dr. Lewis Ryans	W. G. Wheeler
D. J. Howard	Chas. R. Scott	W. N. Winn

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Those who voted in the negative were:

S. M. Bennett	W. L. Kimbrough	Lee Rogers
J. M. Billiter	Dr. S. D. Laughlin	B. A. Roth

W. T. Carner	Joseph Lazarus	R. Lee Stewart
J. F. Carr	A. J. McCandless	Wm. A. Stewart
Dr. T. H. Gamblin	H. C. McLellan	Frank L. Strange
B. J. Geohringer	Mack J. Morgan	J. Wood Vance
A. F. Hanberry	Estill W. Neel	A. M. Wash
A. R. Hudson	J. L. Richardson	R. E. Wilborn
Frank Kennard	Sherman Robbins	V. M. Williamson

—27

So said bill was passed.

Resolved, That the title thereof be as aforesaid.

Mr. Ryans moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Meyers moved to extend today's session until 2:30 P. M., and at that time to adjourn till Monday at 1:00 P. M.

Mr. Wash moved to amend that motion by taking a recess from 12:30 P. M. to 1:30 P. M. today.

Said motion was lost.

Mr. Hudson moved to amend by providing that the House shall reconvene at 11:30 A. M. next Monday.

Said motion was withdrawn.

Then the motion of Mr. Meyers was agreed to.

Mr. Hardin moved to suspend the rules and take up for immediate consideration House Bill No. 400.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled House Bill No. 400.

House Bill No. 400. An Act to provide for the condemnation of land by electric light and power companies.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That every corporation heretofore or hereafter organized for the purpose of developing, distributing and selling electricity, or electric energy, are hereby vested with power to condemn lands and materials in this Commonwealth or the use and occupation of so much thereof as may be necessary for the purpose of developing electricity, or electrical energy, or the transmission thereof, or for the purpose of erecting power stations, the right to construct and maintain transmission lines, including the placing and maintenance of poles, wires, cross arms and all other equipment incident thereto, for use in production, transmission, and distribution of electricity, together with the right of ingress and egress to examine, alter, repair, maintain and operate or remove such structures or appliances, all such being hereby declared to be a public use; and when any such corporation or company desires the use of lands of others for any of such uses and shall be unable to agree with the owner or owners of such lands or material necessary for its use for said purposes, it may, in the mode prescribed for the condemnation of lands for railroads, condemn the use of so much of said land as may be necessary for the purpose of constructing, maintaining and operating such transmission lines, power house sites, conduits, dams, poles, and other equipment and appliances, and including rights of ingress and egress to examine, alter, repair, maintain and operate or remove same.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	J. L. Richardson
H. H. Barnes	J. M. Knott	W. P. Scott
J. F. Carr	Dr. S. D. Laughlin	H. G. Skiles
A. S. Cooper	Rev. J. A. Lee	John T. E. Stites
B. L. Cox	Elmer Lusby	J. Mack Thompson
J. S. Cruse	A. J. McCandless	Dr. T. R. Welch
E. C. Hardin	Estill W. Neel	R. E. Wilborn
A. R. Hudson	Chas. A. Nelson	—23

Those who voted in the negative were:

Rodney G. Bryson	Joseph Lazarus	S. G. Smith
Charles M. Ciarlo	I. S. Mason	H. A. Spillman
H. N. Dean	R. L. McFarron	Frank L. Strange
H. C. Duffy	H. C. McLellen	C. B. Truesdell
J. M. Foster	Harry J. Meyers	J. Wood Vance
Henry Kaufman	Claude D. Minor	Daniel Vose
Griffin Kelly	B. F. Reynolds	J. S. Webb
Frank Kennard	Sherman Robbins	W. G. Wheeler
Hebron Lawrence	Dr. B. F. Shields	—26

Mr. Charles R. Scott was excused from voting on this bill.

Mr. Hardin made the point of order that no quorum was present when said bill was voted upon.

Mr. Meyers moved that the vote by which said bill was lost be reconsidered and that said motion lie on the table.

The Speaker ruled this motion out of order.

Then the Speaker ruled that Mr. Hardin's point of order as to no quorum was well taken.

Mr. Welch moved to re-commit the bill to the Committee on Railroads.

On a division Mr. Welch's motion was defeated, yeas 22, nays 30.

Mr. Meyers again moved that the vote by which said bill was lost be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hudson moved to suspend the rules and take up for immediate consideration House Bill No. 344.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 344. An Act giving to boards of education of any school district in this State the right to require the parents, guardian or custodian of all children between the ages of fourteen (14) and sixteen (16) years, who are not enrolled in and attending a public, private or parochial school, to cause such children to attend a continuation school, and to require employers having children between said ages in their employment to permit them to attend such school.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any Board of Education of any school district in this State shall have the right, should such board deem it advisable, to require the parents, guardian or custodian of all children between fourteen (14) and sixteen (16) years of age, who are not enrolled in and attending the public schools, or private or parochial school, to cause such children to attend a Continuation School for not less than four nor more than eight hours per week as such board may determine; and should said board in any school district require the chil-

dren between said ages to attend such Continuation School during certain hours by it designated, then all persons, firms and corporations having such children between such ages in their employment, shall permit such children to attend said school for and during the hours designated by said board.

§ 2. Any parents, guardian or custodian, who shall fail or refuse to comply with the foregoing section of this Act, after such Board of Education shall have required the children between said ages to attend the Continuation School for certain hours within the limits above specified, or any person, firm or corporation employing children between said ages, who shall fail or refuse to permit such children to attend such Continuation school during the hours designated by said board, shall be guilty of a misdemeanor, and upon conviction shall be fined the sum of five ($5.00) dollars per day for each day such failure or refusal shall continue.

§ 3. All Acts or parts of Acts in conflict with this law are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	E. E. Shannon
Sidney Alfrey	Griffin Kelly	Dr. B. F. Shields
L. H. Ballard	J. M. Knott	S. G. Smith
Roy J. Cain	Dr. S. D. Laughlin	H. A. Spillman
J. F. Carr	Joseph Lazarus	R. Lee Stewart
A. S. Cooper	I. S. Mason	T. R. Stultz
J. S. Cruse	A. J. McCandless	J. Mack Thompson
Dr. T. H. Gamblin	H. C. McLellen	Dr. D. J. Travis

B. J. Geohringer	Harry J. Meyers	C. B. Truesdell
A. F. Hanberry	Claude D. Minor	Daniel Vose
E. C. Hardin	John T. Murphy	G. C. Waggoner
D. J. Howard	Chas. A. Nelson	Gladstone Wesley
A. R. Hudson	Lee Rogers	W. N. Winn
R. O. Huntsman	B. A. Roth	—43
J. W. Johnson	Chas. R. Scott	

Those who voted in the negative were:

Rodney G. Bryson	H. C. Duffy	John T. E. Stites
B. L. Cox	Hebron Lawrence	J. Wood Vance
		—6

Resolved, That the title thereof be as aforesaid.

Mr. Hudson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be sent to the Senate.

After a time the Chief Clerk reported that that duty had been performed by Mr. Hudson, who was appointed by the Speaker to convey said bill to the Senate.

Mr. Waggoner moved to take up for immediate consideration House Bill No. 282.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 282. An Act to prevent selling soft drinks at places of religious worship.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That whereas many places of religious worship such as camp meetings, tent meetings and associations and all places of religious worship are more or less disturbed and annoyed by the selling of soft drinks, lemonade, ice cream, etc., be it enacted that it shall be unlawful to operate stands where soft drinks or lemonade or ice cream are sold within three miles of the place of worship, or religious assembly is meeting. It shall be the duty of the sheriff or his deputies or constable or his deputies and all peace officers within the State to enforce the provisions of this Act and must arrest on sight without warrant any person or persons violating this Act, and upon conviction thereof shall be fined not less than $100 nor more than $200.

All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Waggoner moved that said bill be re-committed to the Committee on Alcoholic Liquor Traffic.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

J. F. Carr J. S. Cruse J. M. Knott
A. S. Cooper —4

Those who voted in the negative were:

Lon Adams	W. L. Kimbrough	B. A. Roth
Sidney Alfrey	Dr. S. D. Laughlin	Chas. R. Scott
H. H. Barnes	Hebron Lawrence	E. E. Shannon
W. T. Beckham	Joseph Lazarus	Dr. B. F. Shields
Roy J. Cain	A. J. McCandless	S. G. Smith
W. T. Carner	R. L. McFarron	H. A. Spillman
B. L. Cox	H. C. McLellen	R. Lee Stewart
H. C. Duffy	Harry J. Meyers	John T. E. Stites
B. J. Geohringer	Claude D. Minor	John B. Thomas
A. L. Hamilton	John T. Murphy	J. Mack Thompson
Robt. Humphreys	Chas. A. Nelson	Daniel Vose
J. W. Johnson	T. P. Oliver	Geo. C. Waggoner
Henry Kaufman	T. C. Pryse	J. S. Webb
Griffin Kelly	Sherman Robbins	W. G. Wheeler
Frank Kennard	Lee Rogers	R. E. Wilborn

—45

So said bill was rejected.

Mr. Meyers moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vance moved that the rules be suspended and that the House take up for immediate consideration House Resolution No. 33.

Said motion was agreed to.

Said resolution reads as follows:

A joint resolution authorizing M. M. Logan to sue the Commonwealth of Kentucky for the value of legal services rendered in a suit instituted by V. O. Gilbert, Superintendent of Public Instruction to determine whether the school fund was entitled to a part of the inheritance tax.

Whereas, the Honorable R. L. Green, Auditor of Public Accounts, construed the inheritance tax laws to mean that the public school fund was not entitled to any part thereof collected by the State of Kentucky; and

Whereas, the then Attorney General, Honorable Charles H. Morris, advised the Auditor of Public Accounts that the school fund was not entitled to any part of the said inheritance tax; and

Whereas, the Superintendent of Public Instruction had no one to represent his department, and the school teachers throughout the State, in determining the question; and

Whereas, the said Gilbert employed M. M. Logan to represent his department, and the school teachers throughout the State, in said litigation and agreed to pay him for said services out of the sum recovered for the school fund, if he had authority so to do; and

Whereas, the said Logan and Gilbert came to the conclusion that the contract made by the said Gilbert with the said Logan would not be sufficient authority for the payment of compensation to said Logan; and

Whereas, the said Logan represented the Department of Education, and the school teachers throughout the State, in the said litigation in the Franklin Circuit Court where said case was decided against the Department of Education and the teachers; and

Whereas, said case was appealed to the Court of Appeals where said Logan still continued to represent said parties and where it was decided that the school fund was entitled to share in the inheritance tax thereby making immediately available almost $500,000, of which said school fund had been deprived, and entitling the said fund to share in the inheritance tax which might be collected in the future; and

Whereas, the said Logan has not been paid anything for his services, and believing he is justly entitled to a reasonable compensation to be determined from the facts, now therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the said M. M. Logan is hereby authorized and permitted to institute a suit against the Commonwealth

of Kentucky in the Franklin Circuit Court under the style of M. M. Logan, plaintiff, vs. John J. Craig, Auditor of Public Accounts, defendant, in order that said court may determine and allow, after a consideration of the proof as to the value of said services, a reasonable fee to said Logan for his services in the above mentioned litigation, and when said judgment becomes final, the Auditor of Public Accounts is directed to issue to said M. M. Logan his warrant upon school fund of the State for the sum of said judgment, and the Treasurer is directed to pay said warrant out of the school fund.

§ 2. Either party may appeal from the judgment from the Franklin Circuit Court to the Court of Appeals and the case may be settled and adjusted with the consent and approval of the Attorney General the same as any other civil case.

§ 3. Nothing in this resolution shall be construed to render legal or binding any alleged contract or agreement with said M. M. Logan made by any officer of the Commonwealth of Kentucky which without this resolution would be illegal and void, or render conclusive on the court any statement of fact made herein, but the court may consider all the conditions and circumstances and if it shall appear that there was a necessity for such legal service and that the Department of Education could not have procured such legal services from the legal department of the State, then the court may award to the said M. M. Logan such a sum as they determine to be reasonable compensation for such services.

Provided that all the costs of this action shall be paid to the clerk of the Franklin Circuit Court out of the amount awarded to the said M. M. Logan, and provided further, that any amount so awarded to M. M. Logan in any such suit shall not exceed $3,500.

Mr. Lawrence offered the following amendment to said resolution:

Amend Joint Resolution No. 33 by striking out the words or figures "$3,500" and insert in lieu thereof the words or figures "$2,500" in last line after word "exceeding."

Said amendment was adopted.

Then the question was taken upon the passage of said resolution as amended.

The yeas and nays were demanded by Mr. Vance and another.

The yeas and nays being taken on the passage of said resolution were as follows:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	Dr. B. F. Shields
L. H. Ballard	Henry Kaufman	H. G. Skiles
H. H. Barnes	Griffin Kelly	S. G. Smith
W. T. Beckham	J. M. Knott	H. A. Spillman
J. M. Billiter	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	John T. E. Stites
W. T. Carner	Joseph Lazarus	Frank L. Strange
J. F. Carr	Elmer Lusby	T. R. Stultz
T. L. Caudel	I. S. Mason	John B. Thomas
A. S. Cooper	A. J. McCandless	J. Mack Thompson
B. L. Cox	R. L. McFarron	C. B. Truesdell
J. S. Cruse	H. C. McLellen	John L. Trumbo
H. N. Dean	Harry J. Meyers	J. Wood Vance
H. C. Duffy	Claude D. Minor	Daniel Vose
Dr. T. H. Gamblin	Chas. A. Nelson	Geo. C. Waggoner
B. J. Geohringer	T. P. Oliver	J. S. Webb
J. W. Geveden	T. C. Pryse	Dr. T. R. Welch
Dr. W. L. Gossett	B. F. Reynolds	Gladstone Wesley
A. L. Hamilton	J. L. Richardson	W. G. Wheeler
E. C. Hardin	B. A. Roth	R. E. Wilborn
D. J. Howard	Dr. Lewis Ryans	V. M. Williamson
Robt. Humphreys	Chas. R. Scott	—67
R. O. Huntsman	W. P. Scott	

So said resolution was passed.

Resolved, That the title thereof be as aforesaid.

Mr. Vance moved that the vote by which said resolution was passed be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Mr. Welch was granted an indefinite leave of absence until next Thursday morning, March 4, 1920.

Mr. Johnson moved to suspend the rules and take up for consideration House Bill No. 211.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled:

House Bill No. 211. An Act to amend Chapter CXXXII, 1918 Acts of the Kentucky Legislature, same being an amendment to Section 2514, Kentucky Statutes, Carroll's 1915 Edition, entitled "Actions that must be brought within fifteen years after accrual of right."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter CXXXII of the 1918 Acts of the Legislature, which is an amendment to Section 2514 of the Kentucky Statutes, be and the same is hereby amended by striking out Section 2 thereof and by striking out the period at the end of Section 1 thereof and adding to Section 1 the following words:

"And shall have filed in the county court clerk's office a memorandum giving the name of the promisor and the holder of the lien, the date of the deed or mortgage retaining or giving the lien, and the book and page wherein same is recorded, which shall be recorded by the clerk in the same book required to be kept for record of liens under Section 2358-a

of the Kentucky Statutes, said clerk to be paid the same fees allowed under said section, and the name of the promisor shall be properly indexed for said record."

So that when said chapter is so amended it will read as follows:

"Civil actions, other than those for the recovery of real property, shall be commenced within the following periods, after cause of action has accrued, and not after; an action upon a judgment or decree of any court of this State or of the United States, or of any State or territory thereof, the period to be computed from the date of the last execution thereon, an action or suit upon a recognizance, bond or written contract; an action upon the official bond of a sheriff, marshal, sergeant, clerk, constable or any other public officer, or any commissioner, receiver, curator, personal representative, guardian, committee, or trustee appointed by a court or authority of law; an action upon an appeal bond, or bond given on a supersedeas, attachment, injunction, order of arrest, or for the delivery of property, or for the forthcoming of property or to obey or perform an order or judgment of court in an action, or upon a bond for costs, or any other bond taken by a court or judge in an action, or after judgment or decree or upon a replevin, sale or delivery bond taken under execution, decree or warrant of distress, upon an indemnifying bond, taken under a statute or upon a bond to suspend a proceeding or sale under execution, distress warrant, order or decree, or other judicial proceedings, or upon a bond or obligation for the payment of money or property, or for the performance of any undertaking shall be commenced within fifteen years after the cause of action first accrued; and no promise or acknowledgement, or payment of money by any person bound on any bond or obligation for the payment of money secured by a lien shall operate as a prolongation or extension of the time within which such lien may be enforced as against purchasers or creditors, unless the promisor and the holder of the lien, before fifteen years after the maturity of the debt shall enter a memorandum on the margin of the record of the deed or mortgage, attested by the clerk, showing that the debt is extended, and for what time it is extended,

and the amount still due thereon, and shall have filed in the county court clerk's office a memorandum giving the name of the promisor and the holder of the lien, the date of the deed or mortgage retaining or giving the lien and the book and page wherein same is recorded, which shall be recorded by the clerk in the same book required to be kept for record of liens under Section 2358-a of the Kentucky Statutes, said clerk to be paid the same fees allowed under said section, and the name of the promisor shall be properly indexed for said record."

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

H. H. Barnes	Hebron Lawrence	H. G. Skiles
S. M. Bennett	Joseph Lazarus	R. Lee Stewart
Roy J. Cain	I. S. Mason	John T. E. Stites
T. L. Caudel	Harry J. Meyers	Frank L. Strange
B. L. Cox	Claude D. Minor	T. R. Stultz
J. S. Cruse	Estill W. Neel	John B. Thomas
J. B. Denues	Chas. A. Nelson	J. Mack Thompson
B. J. Geohringer	T. P. Oliver	C. B. Truesdell
J. W. Geveden	B. F. Reynolds	John L. Trumbo
E. C. Hardin	Sherman Robbins	Fred C. VanHoose
D. J. Howard	Lee Rogers	Daniel Vose
Adam W. Huff	B. A. Roth	Geo. C. Waggoner
J. W. Johnson	Chas. R. Scott	Dr. T. R. Welch
J. M. Knott	W. P. Scott	Gladstone Wesley
Dr. S. D. Laughlin	Dr. B. F. Shields	W. N. Winn

—45

Those who voted in the negative were:

A. R. Hudson	Henry Kaufman	J. S. Webb	
R. O. Huntsman	T. C. Pryse		—5

Resolved that the title thereof be as aforesaid.

Mr. Johnson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman moved to suspend the rules and take up for immediate consideration House Bill No. 467.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 467. An Act imposing a license tax on race tracks, at which races are run for purses or prizes, under the jurisdiction of the Kentucky State Racing Commission, and which license tax is in lieu of all other license, income, excise, special or franchise tax to the state of Kentucky, or any county, city, town, municipality or other political subdivision thereof; and directing the determining, fixing, announcing and publishing the number, value and amount of the purses and prizes to be offered at all race meetings.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every person, firm, association or corporation engaged in the business of conducting a race track, at which races are run for purses or prizes, under the jurisdiction of the Kentucky State Racing Commission, shall pay to

the State of Kentucky, a license tax of twenty-five hundred ($2,500.00) dollars for each day on which said races are run.

§ 2. It shall be the duty of every person, firm, association or corporation engaged in the business of conducting a race track to determine, fix, announce and publish, not less than thirty days before the commencement of any such race meeting, the number, value and amount of all purses and prizes to be offered by such person, firm or corporation at such race meeting, and to furnish to the Auditor of Public Accounts, on or before December 1st of each year, a true report of the number of days on which races were run on the said race tracks during the year, and at the same time to pay to the Auditor of Public Accounts the correct amount due the State of Kentucky by said race tracks, at the rate per day above fixed and provided for.

§ 3. The license tax herein imposed shall be in lieu of all other license, income, excise, special or franchise tax to the State of Kentucky, or any county, city, town, municipality or other political subdivision thereof; and no county, city, town, municipality or other political sub-division of the State of Kentucky shall be authorized or empowered to levy or impose any license, income, excise, special or franchise tax on any such race track.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	Lee Rogers
H. H. Barnes	Henry Kaufman	B. A. Roth
W. T. Beckham	Frank Kennard	Dr. Lewis Ryans
Rodney G. Bryson	W. L. Kimbrough	W. P. Scott
Roy J. Cain	J. M. Knott	H. G. Skiles
J. F. Carr	Dr. S. D. Laughlin	S. G. Smith
T. L. Caudel	Hebron Lawrence	R. Lee Stewart
Charles M. Ciarlo	Joseph Lazarus	Wm. A. Stewart
B. L. Cox	I. S. Mason	Frank L. Strange
J. S. Cruse	A. J. McCandless	T. R. Stultz
H. N. Dean	R. L. McFarron	John B. Thomas
H. C. Duffy	H. C. McLellen	J. Mack Thompson
J. M. Foster	Harry J. Meyers	Dr. D. J. Travis
B. J. Geohringer	Claude D. Minor	C. B. Truesdell
J. W. Geveden	Mack J. Morgan	John L. Trumbo
Dr. W. L. Gossett	John T. Murphy	J. Wood Vance
A. F. Hanberry	Estill W. Neel	Fred C. VanHoose
E. C. Hardin	Chas. A. Nelson	A. M. Wash
D. J. Howard	T. C. Pryse	J. S. Webb
A. R. Hudson	B. F. Reynolds	Dr. T. R. Welch
Adam W. Huff	J. L. Richardson	Gladstone Wesley
R. O. Huntsman	Sherman Robbins	W. N. Winn

—66

Those who voted in the negative were:

Geo. C. Waggoner —1

Resolved, That the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. VanHoose moved that House Bill No. 424 be made a special order for 2:00 P. M., Monday, March 1, 1920.

Said motion was agreed to.

Mr. McLellen moved that the House take up in regular order from the Orders of the Day, House Bill No. 172.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 172. An Act to amend Sub-section 9 of Section 331-e of Chapter XVIII of the Kentucky Statutes, which was an Act of February 24, 1894, pertaining to children destitute or maltreated.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sub-section 9 of Section 331-e of Chapter XVIII of the Kentucky Statutes, be amended by adding to said sub-section the following:

"Provided that the status of no child, who has been already adopted by any person by order or judgment of a circuit court having jurisdiction under the laws of the Commonwealth relating to adoption of children, may be affected or changed by any order of the county or juvenile court otherwise having control of the status of the child.".

So that said Sub-section 9 of said Section 331-e of Chapter XVIII of the Kentucky Statutes, when amended will read as follows:

When any child shall be found to be dependent or neglected within the meaning of this Act, the court may allow such child to remain in its own home, subject to the friendly visitations of a probation officer, such child to report to the probation officer as often as may be required, and if the parents, parent or guardian or person having the custody, control or supervision of such child consent thereto, or if the court shall find that the parents, parent, guardian, or person having its custody, control or supervision are unfit or improper guardians, or are unwilling or unable to care for, pro-

tect, educate or discipline such child, and shall further find that it is for the interest of such child and for the people of this State that such child be taken from the custody or control of its parent, parents, guardian or person having its custody, control or supervision, the court may cause such child to be placed in a suitable home, subject to the friendly visitation and supervision of a probation officer, or cause it to be boarded out in some suitable family home, in case provision is made by voluntary contribution or otherwise for the payment of the board, and subject to the friendly visitation and supervision of a probation officer; or the court may commit such child to the care of some association, society or corporation willing to receive it, embracing in its objects the care of neglected, dependent or delinquent children: Provided, however, that the court shall not commit any dependent or neglected child, within the meaning of this Act to any association, society or corporation receiving delinquent children unless suitable provision is made by such association, society or corporation for separating delinquent from neglected or dependent children. Any dependent or neglected child committed as herein provided shall be committed for such time during its minority as the court may deem fit, and the court at any time thereafter may set aside, change or modify such order. Provided, that the status of no child, who has been already adopted by any person by order or judgment of a circuit court having jurisdiction under the laws of the Commonwealth relating to adoption of children, may be affected or changed by any order of the county or juvenile court otherwise having control of the status of the child.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Dr. S. D. Laughlin	W. P. Scott
H. H. Barnes	Hebron Lawrence	S. G. Smith
Rodney G. Bryson	Joseph Lazarus	H. A. Spillman
Roy J. Cain	Elmer Lusby	Wm. A. Stewart
J. F. Carr	I. S. Mason	John T. E. Stites
T. L. Caudel	A. J. McCandless	Frank L. Strange
B. L. Cox	H. C. McLellen	T. R. Stultz
J. S. Cruse	Harry J. Meyers	John B. Thomas
H. N. Dean	Claude D. Minor	J. Mack Thompson
J. M. Foster	John T. Murphy	Dr. D. J. Travis
B. J. Geohringer	Estill W. Neel	C. B. Truesdell
J. W. Geveden	Chas. A. Nelson	John L. Trumbo
Dr. W. L. Gossett	T. P. Oliver	J. Wood Vance
A. F. Hanberry	T. C. Pryse	Daniel Vose
D. J. Howard	B. F. Reynolds	A. M. Wash
A. R. Hudson	J. L. Richardson	J. S. Webb
J. W. Johnson	Sherman Robbins	Dr. T. R. Welch
Henry Kaufman	Lee Rogers	Gladstone Wesley
Frank Kennard	B. A. Roth	W. G. Wheeler
W. L. Kimbrough	Dr. Lewis Ryans	—61
J. M. Knott	Chas. R. Scott	

Resolved, That the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Meyers moved that the special orders for today at 2:00 P. M., viz.: House Bills Nos. 434 and 435, be deferred, and that they be taken up for consideration as the first order of business after the roll call on Monday, March 1, 1920.

Said motion was agreed to.

Mr. Howard moved to suspend the rules and take up for immediate consideration House Bill No. 305.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 305. An Act to provide further and additional qualifications for grand and petit jurors in the courts of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no person shall be eligible to sit on any grand or petit jury in this Commonwealth who is a member of or affiliated or associated with any organization seeking or advocating the defiance or forcible overthrow of the laws, constitution or government of Kentucky, or the United States, and any juror in any case may be required to take an oath to support and defend the Constitution and laws of Kentucky and of the United States, and the failure to take such oath when required shall disqualify such person from jury service.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Frank Kennard	W. P. Scott
H. H. Barnes	J. M. Knott	Dr. B. F. Shields
J. M. Billiter	Dr. S. D. Laughlin	H. A. Spillman

Roy J. Cain	Hebron Lawrence	R. Lee Stewart
W. T. Carner	Joseph Lazarus	Wm. A. Stewart
J. F. Carr	Elmer Lusby	John T. E. Stites
T. L. Caudel	I. S. Mason	Frank L. Strange
B. L. Cox	A. J. McCandless	J. Mack Thompson
J. S. Cruse	H. C. McLellen	C. B. Truesdell
P. A. Day	Harry J. Meyers	John L. Trumbo
H. N. Dean	Claude D. Minor	J. Wood Vance
J. M. Foster	John T. Murphy	Fred C. VanHoose
Dr. W. L. Gossett	Estill W. Neel	Daniel Vose
A. L. Hamilton	Chas. A. Nelson	G. C. Waggoner
A. F. Hanberry	T. P. Oliver	A. M. Wash
D. J. Howard	T. C. Pryse	J. S. Webb
Robt. Humphreys	B. F. Reynolds	Dr. T. R. Welch
J. W. Johnson	J. L. Richardson	Gladstone Wesley
Henry Kaufman	Lee Rogers	W. N. Winn
Griffin Kelly	Chas. R. Scott	—59

Resolved, That the title thereof be as aforesaid.

Mr. Howard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Wash moved that the House take up for immediate consideration Senate Resolution No. 18.

Said motion was agreed to.

Said resolution reads as follows:

Joint resolution approving suggested plan of co-operation between the State Government and the City of Frankfort, and providing for a commission to be selected by the Governor and the Mayor of said city, authorized to report to the General Assembly of 1922 a measure to carry such plan into effect.

Whereas, the people of Kentucky look with just pride upon the history of their State and upon its achievements, and believe that their State Capitol should be a model city, a proper setting for a place so historic and for the several million dollars worth of public property within its limits, and

Whereas, the Lieutenant Governor of Kentucky, the Honorable S. Thruston Ballard, has conferred with the municipal and civic authorities of the City of Frankfort with the view of securing such co-operation as will make of the Capitol City of the Commonwealth a city which every Kentuckian will be proud to point to and to visit, and has met with a most hearty response from the people of Frankfort, now, therefore,

Be it resolved by the Senate of Kentucky, the House of Representatives concurring therein:

§ 1. That we endorse the project, and that a committee be appointed, to serve without compensation, to work out plans of such co-operation between State and city and to submit same to the General Assembly of 1922 for consideration by that body.

§ 2. That this commission be composed of the Governor of Kentucky, the Lieutenant Governor, and a third man selected by them from the present State officials, upon the part of the State, and the Mayor of the City of Frankfort, a member of the Common Council of said city selected by him, and these two to select a third man upon the part of the city from the membership of the Chamber of Commerce of said city.

§ 3. The Governor shall be chairman of this joint commission and the Mayor of the City of Frankfort shall be secretary of the commission. Meetings shall be held upon call of the chairman.

Mr. Wash moved that the House do now concur in said Senate resolution.

Said motion was agreed to, and the House concurred in said resolution.

Mr. Truesdell moved to suspend the rules and take up for immediate consideration House Bill No. 87.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 86. An Act relating to cities of the fourth class, being an Act to amend Section 3511, Kentucky Statutes, Carroll's Edition, 1915, entitled, "Qualifications of Police Judge."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3511 of the Kentucky Statutes, compiled and edited by John D. Carroll, and issued in the year one thousand nine hundred and fifteen and the same is hereby amended and re-enacted by adding to said section the following language: He shall, before he enters upon the duties of his office, execute a bond in the sum of one thousand ($1,000.00) dollars to the Commonwealth of Kentucky, with good and sufficient sureties, to be approved by the county judge, to the effect that he will faithfully discharge the duties of his office. The bond shall be filed and recorded in the county clerk's office and an entry made upon the order book of the county court, showing that the bond was executed and approved, and giving the names and sureties therein. The county judge shall, at any time that he may have reason to believe that said bond is not good or that the sureties are about to become insolvent, require the execution of a new bond or additional sureties on the old one.

So that said section when amended and re-enacted shall read as follows:

Section 3511. Qualifications of Police Judge.—No person shall be eligible to the office of Judge of the Police Court unless he be at least twenty four years of age and who has re-

sided within the limits of the city at least six months next preceding his election. He shall, before he enters upon the duties of his office, execute a bond in the sum of one thousand ($1,000.00) dollars to the Commonwealth of Kentucky with good and sufficient sureties, to be approved by the county judge, to the effect that he will faithfully discharge the duties of his office. The bond shall be filed and recorded in the county clerk's office and an entry made upon the order book of the county court, showing that the bond was executed and approved, and giving the names and sureties therein. The county judge shall, at any time that he may have reason to believe that said bond is not good or that the sureties are about to become insolvent, require the execution of a new bond or additional sureties on the old one.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	W. P. Scott
L. H. Ballard	Frank Kennard	Dr. B. F. Shields
H. H. Barnes	W. L. Kimbrough	H. G. Skiles
J. M. Billiter	J. M. Knott	S. G. Smith
Rodney G. Bryson	Dr. S. D. Laughlin	H. A. Spillman
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Elmer Lusby	John T. E. Stites
J. F. Carr	I. S. Mason	Frank L. Strange
T. L. Caudel	A. J. McCandless	T. R. Stultz
Charles M. Ciarlo	R. L. McFarron	John B. Thomas
B. L. Cox	H. C. McLellen	J. Mack Thompson

J. S. Cruse	Harry J. Meyers	C. B. Truesdell
H. N. Dean	Claude D. Minor	John L. Trumbo
H. C. Duffy	Mack J. Morgan	J. Wood Vance
J. M. Foster	John T. Murphy	Daniel Vose
B. J. Geohringer	Estill W. Neel	G. C. Waggoner
J. W. Geveden	Chas. A. Nelson	A. M. Wash
Dr. W. L. Gossett	T. C. Pryse	J. S. Webb
A. F. Hanberry	B. F. Reynolds	Gladstone Wesley
D. J. Howard	J. L. Richardson	V. M. Williamson
A. R. Hudson	Lee Rogers	—64
J. W. Johnson	Chas. R. Scott	

Resolved, That the title thereof be as aforesaid.

Mr. Truesdell moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Roth moved to suspend the rules and take up for immediate consideration House Bill No. 358.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 358. An Act to amend an Act entitled "An Act to amend Section 6 of the Act approved March 23, 1910, entitled, An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third, and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy," being Chapter CXXI of the Acts of 1916; and also to amend Sub-section 7 of Section 2978-c of the Kentucky Statutes, Edition 1915, relating to the duties of truant officers.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter CXXI of the Acts of 1916, entitled: "An Act to amend Section 6 of the Act approved March 23, 1910, entitled 'An Act to promote and compel attendance of children in schools, to prevent truancy in cities of the first, second, third, and fourth class, and to enable boards of education or boards of school trustees of cities of the first and second class to establish and maintain parental or truant schools for the care and discipline of truant children, and for the purpose of reducing truancy,'" be amended by striking out of Section 6 of the Act of 1910, therein amended, the following provisions: "Such truant officer shall receive from the tax levy for school purposes of such cities not less than one ($1.00) dollar nor more than three ($3.00) dollars per day during such period of time as he may be employed by the school board" and by inserting in lieu thereof the following: "The boards of education of such cities shall fix and determine the salary or compensation of such truant officer or officers and shall pay the same from funds received from the city taxes levied and collected for school purposes."

And further that said Act of 1916, amending said Section 6, be amended by adding after the words: "and his salary shall be fixed by the Board of Education" the following: "and the truant officers appointed by said board, other than the chief truant officer, shall be called and known as "Supervisors of Attendance" so that said Act as herein amended, and said Section 6 to which it relates, shall read as follows:

§ 6. In the first week of July in each year the Board of Education in each city of the first, second, third, and fourth classes shall appoint at least one person for each ten thousand (10,000) children, enrolled in the school census, to serve as truant officers, whose term of office shall be during the pleasure of the board appointing him, who may be removed at any time by said board for cause, and whose duties shall be limited to the city where the appointment is made. If in any such

city there shall be less than ten (10,000) thousand children enrolled in the school census, there shall be appointed as above, one truant officer.

"Said truant officers shall be residents of the city in which they are appointed, and of good moral character. They must be able to read and write with ease. In cities of the first class such truant officers shall not engage in any other occupation during such period of time as the schools are in session each year.

"Before they shall be eligible for appointment, all applicants for the position of truant officer shall be examined by the superintendent of schools, who shall certify to the Board of Education only such persons qualified as herein provided.

"The Board of Education of such cities shall fix and determine the salary or compensation of such truant officer or officers and shall pay the same from funds received from city taxes levied and collected for school purposes.

"In cities of the first class the Board of Education may appoint a chief truant officer in addition to the truant officer or officers herein provided for, or may designate one of the truant officers as provided for, as chief truant officer. Such chief truant officer shall be called the Director of Attendance, and his salary shall be fixed by the Board of Education, and the truant officers appointed by said Board, other than the chief truant officer, shall be called and known as "Supervisors of Attendance." It shall be the duty of the Director of Attendance, under the general direction of the superintendent of city schools, to supervise, control and direct the work of all truant officers appointed in such city, to supervise, control and direct the taking of the school census when directed by the Board of Education, and to cause to be made and fully kept. reports from all truant officers, principals and teachers, of the working of this act, and he shall be directly charged with the duty of seeing that the provisions of this act are complied with.

In cities of the second class the Board of Education may appoint a chief truant officer in addition to the truant officer or officers herein provided for, or may designate one of the truant officers as provided for, as chief truant officer, and

shall be authorized to pay such chief truant officer a salary of not exceeding twelve hundred ($1,200.00) dollars per year to be fixed by said Board. It shall be the duty of the chief truant officer, under the general direction of the Superintendent of City Schools, to supervise, control and direct the work of all truant officers appointed in such city. Such chief truant officer shall cause to be made and fully kept, reports from all truant officers, principals and teachers of the workings of this act, and shall be directly charged with the duty of seeing that the provisions of the act are complied with."

§ 2. That Sub-section 7 of Section 2978-c of the Kentucky Statutes, Edition of 1915, be amended by striking therefrom the words: "such child as a delinquent child and against" and also by striking therefrom the words: "and for contributing to such condition of delinquency in such child" so that said Section 7 as herein amended shall read as follows:

§ 7. Duties of Truant Officers. Truant officers shall examine into any case of truancy within the city or district, and when, from personal knowledge, or by report or complaint from any resident or teacher of the city or district it appears that any child, subject to the provisions of this act, is absent from school without lawful excuse, and in violation of the provisions of this act, or is persistently truant from school, the truant officer shall immediately give written notice to the parents, guardian or person having the custody, control or supervision of such child that the attendance of such child is required, and if such parent, guardian, or person having the custody, control or supervision of such child does not comply immediately with the provisions of this act, then such truant officer shall proceed against such parent, guardian or person having the custody, control or supervision of such child for violation of this act. It shall be the duty of all truant officers to report all violations of the child labor law of which they have any knowledge. In cities having a chief truant officer, such reports shall be made to such chief truant officer and in cities having no chief truant officer such reports shall be made by truant officers to the Superintendent of City Schools. All such violations aforesaid shall be promptly reported by the Superintendent of Schools or chief truant officer, as the case may be, to the labor inspector.

§ 3. All Acts or parts of Acts in conflict with this law are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	Lee Rogers
H. H. Barnes	Griffin Kelly	B. A. Roth
J. M. Billiter	W. L. Kimbrough	W. P. Scott
Jo F. Bosworth	J. M. Knott	H. G. Skiles
Rodney G. Bryson	Dr. S. D. Laughlin	S. G. Smith
Roy J. Cain	Hebron Lawrence	R. Lee Stewart
W. T. Carner	Joseph Lazarus	John T. E. Stites
J. F. Carr	I. S. Mason	T. R. Stultz
T. L. Caudel	A. J. McCandless	John B. Thomas
Charles M. Ciarlo	R. L. McFarron	Dr. D. J. Travis
B. L. Cox	H. C. McLellen	J. Wood Vance
J. S. Cruse	Harry J. Meyers	Fred C. VanHoose
H. N. Dean	Mack J. Morgan	Daniel Vose
Dr. T. H. Gamblin	John T. Murphy	G. C. Waggoner
B. J. Geohringer	Estill W. Neel	A. M. Wash
A. R. Hudson	Chas. A. Nelson	J. S. Webb
R. O. Huntsman	T. C. Pryse	Gladstone Wesley
J. W. Johnson	J. L. Richardson	—53

Those who voted in the negative were:

Lon Adams	D. J. Howard	Dr. B. F. Shields
P. A. Day	Robt. Humphreys	H. A. Spillman
H. C. Duffy	Elmer Lusby	Frank L. Strange

Dr. W. L. Gossett	T. P. Oliver	J. M. Thompson
A. L. Hamilton	B. F. Reynolds	W. G. Wheeler

—15

Resolved, That the title thereof be as aforesaid.

Mr. Kaufman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By unanimous consent the following bills were introduced, ordered to be printed, and referred to the committees indicated:

By Mr. Neel:

House Bill 524. An Act to annul the Charter of the town of Aberdeen, Butler County, Kentucky.

To Committee on Rules.

By Mr. Barnes:

House Bill 525. An Act to establish and regulate an institution for the confinement, care and reformation of delinquent women.

To Committee on Rules.

By Mr. Stults:

House Bill 526. An Act to provide for the comfort of members of future General Assemblies of the Commonwealth of Kentucky.

To Committee on Rules.

The following bills and joint resolutions were sent to the Senate today:

House Resolution No. 24.

Senate Bill No. 66.

House Bill No. 118.

House Bill No. 91.

House Bill No. 328.

House Bill No. 287.

House Bill No. 167.

House Bill No. 405.

House Bill No. 12.

House Bill No. 344.

House Bill No. 350.

Then the House, at 2:30 P. M., adjourned in accordance with the Meyers resolution adopted this morning, to reconvene on Monday, March 1, 1920, at 1:00 P. M.

MONDAY, MARCH 1, 1920.

The House was called to order at 1:00 P. M. by the Speaker.

The House was opened with prayer by Rev. M. S. Clark, of the Methodist Church.

The roll call to ascertain the presence of a quorum resulted as follows:

Lon Adams
Sidney Alfrey
L. H. Ballard
H. H. Barnes
J. M. Billiter
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
A. S. Cooper
B. L. Cox
J. S. Cruse
P. A. Day
H. N. Dean
H. C. Duffy
Dr. T. H. Gamblin
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. F. Hanberry
Dr. W. L. Haynes
A. R. Hudson
Adam W. Huff
Robt. Humphreys
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Griffin Kelly
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
Mack J. Morgan
Estill W. Neel
Chas. A. Nelson
T. C. Pryse
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
B. A. Roth
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
S. G. Smith
H. A. Spillman
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John W. Swope
J. M. Thompson
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
Daniel Vose
A. M. Wash
J. S. Webb
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler
V. M. Williamson
Dr. W. S. Yazell
Present.....73

On Motion of Mr. Lazarus, the reading of the Journal of Friday, February 27, 1920, was dispensed with and the Journal approved.

The following bills and joint resolutions were sent to the Senate:

Senate Resolution No. 18.

House Resolution No. 33.

Senate Bill No. 21.

Senate Bill No. 61

House Bills Nos. 172, 397, 305, 211, 358, 467, and 475.

A message was received from the Governor and read to the House by the Chief Clerk.

Said message is as follows:

Gentlemen of the House of Representatives of the Commonwealth of Kentucky:

THE RETURN OF KENTUCKY'S LOST BATTLE FLAG.

In the great hall of Chelsea hangs the flag which floated over the Kentucky Regiments when they won the brilliant victory of Frenchtown, and which, a few days later, on the 22nd of January 1813, witnessed the tragedy and massacre of these troops on the banks of the melancholy Raisin. This old flag was carried in high honor by knightly-hearted Kentuckians, and was lost without shame on their part. Kentucky's death roll at Raisin and Meigs constituted nearly one-half of all those who were killed in the entire war. "The news from the Raisin was slow in reaching the homes of those most concerned. Messengers on horse or those returning with pack-horses used to transport supplies were the first to bear the dreadful intelligence which was to blight so many homes and for years to overshadow so many hearts with deepest grief. One by one, these couriers of evil came. Doubt and hope stood out against each fresh herald of woe, but the time at last came when all delusions were brushed aside and the awful story and the fearful scenes of this battlefield stalked in frightfulest terror before the minds of those who mourned this horrible calamity; widows, orphans, sisters, mothers, sweethearts communed with each other in reviewing the desolation and anguish thus so unexpectedly brought into their lives. The whole State was clothed in grief; the dead, the barbarously treated dead, came from limited area of the Commonwealth, but rich and poor, old and young, all over the State, wept with those who wept and bewailed with uni-

versal lamentation the direfulness of this cruel tragedy which had burst with overwhelming suddenness and shocking consternation upon the families of these noble and chivalrous Kentuckians. But there came a quick reaction; no despair touched a single heart; no misfortune could still their patriotic impulses. This great crime against humanity only aroused a deeper love of the dead and a truer, higher devotion to the republic. The sacrifice had been the richest blood of Kentucky's sons. They had not only died for liberty, but they had died by merciless treachery under all the most brutal forms of savagery. The great and pitiless wrong must be avenged. Men and women spoke the hateful word "Raisin," with pale cheeks, compressed lips and wrathful eyes, and throughout the whole of Kentucky, east, west, north and south, there was ever reverberating the sad, portentous words: 'Remember the Raisin.' " This cry sang throughout the land; volunteers flocked to the recruiting stations, and led by gallant Richard Johnson and pioneer William Whitley, they took the field to avenge their dead; they met the British General Proctor and Tecumseh his Indian ally, and in open battle wiped out the memory of a treacherous defeat. At the battle of the Thames, Richard Johnson and William Whitley led the "Forlorn Hope," composed entirely of Kentuckians.

This deathless band of twenty men had as its mission to advance into a tangled underbrush, draw and receive the fire of the savages, in order that their comrades might locate the enemy and charge them with their guns unloaded. History records their heroic courage and the accomplishment of their sacrificial purpose. Of the twenty, one alone escaped unhurt. Fifteen were killed or died soon afterwards, and William Whitley, their leader, with a dozen wounds, struggled on until he beheld the accomplishment of his purpose—the flight of Proctor, the rout of the English, the death of Tecumseh. The victory of the American troops was complete and crushing. From it the Indians never recovered, and Proctor victorious through treachery at the Raisin, and who fled in cowardly retreat at the Thames, was disgraced by court-martial and demoted in rank and position.

These two important battles of the War of 1812 are inseparably connected. The British Government has signified its willingness and desire to return to the State of Kentucky the Flag lost by the Kentucky Regiments at the Raisin. This offer should be met in the spirit in which it is made, and this priceless piece of Bunting should come again to the New Kentucky for which those who died at Raisin, dared all—offered all and gave all. There is living in Louisville, Kentucky, Mr. John Buchanan, a lineal descendant of William Whitley. He has expressed his willingness to act as the representative of Kentucky in accomplishing the return of this Flag.

I, therefore, recommend that the General Assembly of Kentucky appropriate the sum of $3,000 to cover the expenses of Mr. Buchanan incident to the rendition of this service, and that he be directed, for and on behalf of the State of Kentucky, to receive this Flag from the British Empire and return it to the State Capitol, that we who live now may gaze upon it, and that with reverent arms we may hold our children high and point to them this banner as we tell them the story of its loss, and of the victory which followed after defeat, to the end that they may know the price of their heritage and the extent of their obligation.

THE JEFFERSON DAVIS MEMORIAL.

I also recommend that you pass the bill providing for the creation of the Jefferson Davis Home Association, in order that we may accept the Jefferson Davis Monument and the park surrounding it at Fairview, Christian County, Kentucky. The monument erected at this place marks the birth-place of Jefferson Davis; a great Kentuckian; one loved and honored by a great section of our country, and who was entrusted by those who loved him, with great power and lofty position, and who, for the cause which he believed to be right, wrought nobly, suffered heroically, and in the performance of his duty never knew shame or disgrace. When this monument and park have been accepted, Kentucky will hold within its boundaries two great memorials to the commanders-in-chief of the forces of the Union and the forces of the Confederacy, and will have

shown by another unmistakable token that she has taken back to her war-scarred breast her sons, no matter whether they wore the Gray or the Blue, and that, "forgetful of all asperities, she forever holds in grateful remembrance all the glories of that terrible conflict which made all men free, and retained every star on the Nation's Flag."

EDWIN P. MORROW,

Governor of the Commonwealth of Kentucky.

Mr. Lazarus offered the following resolution:

A resolution by the House of Representatives of the General Assembly of Kentucky, for the appointment of a committee of three members to investigate certain alleged acts of legislative counsel and agents for House Bill No. 26, known as the "Anti Loan Shark Bill," and to determine whether or not said agents or counsel have complied with Section 1999-a, Article II-a, Carroll's Statutes, Volume 3, Edition 1918, and further inquire into the amount of expenditure to newspapers or other persons to propagate and advocate the passage of said bill, the source from which such money came and who has contributed thereto, or promised to contribute thereto, or any other alleged irregular acts concerning said bill, and by whom committed, and with power to issue process for witnesses to compel their attendance and hear their testimony.

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

§ 1. Whereas, it is charged and believed that certain legislative counsel and agents for House Bill No. 26, known as the "Anti Loan Shark Bill," have not properly registered as such agents or counsel, and have not disclosed fully their employment and interest as such counsel or agents, and have not complied with Section 1999-a, 1, 2, and 3 of Article II-a of Carroll's Statutes, Volume 3, 1918 Edition, and

Whereas, it is charged and believed that a considerable sum of money has been expended or promised to be expended

on newspaper advertising and by articles, letters and pamphlets, and

Whereas, several lobbyists have appeared at the Legislature and remained throughout in advocacy of said bill, necessarily incurring considerable expense.

§ 2. Be it therefore resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky that the Speaker of said House appoint a committee of three members thereof with power to issue process and compel attendance of witnesses and receive and hear testimony relevant to the subject matter of this resolution and report their finding to this body at the earliest possible time.

§ 3. That said House Bill No. 26, known as the "Anti Loan Shark Bill" remain in abeyance without any further action thereon to effect its passage until the committee has investigated the facts herein complained of and made their report to the House.

Mr. Richardson moved that said resolution be adopted.

Mr. Bryson moved that said resolution do lie on the table.

This motion was seconded by Mr. Hamilton.

Said motion to table was disagreed to.

Then said resolution was adopted.

The Speaker, pursuant to the authority conferred on him by the resolution, appointed the following committee to carry out its provisions:

Mr. Kaufman, Mr. Bryson, Mr. Duffy.

Leave of absence was granted to the following:

Mr. Foster, Dr. Travis, Mr. Hardin, Mr. Charles R. Scott, Mr. Skiles, Mr. R. Lee Stewart.

Mr. Hamilton offered the following resolution:

House Resolution No. 35. Whereas, the budget is about to come to the House for consideration and discussion and whereas the members of the House desire to give the utmost consideration to the report and cast their votes intelligently. Therefore we ask that the budget commission supply the House with the following information:

What is the anticipated revenue of the State for 1920?

What are the anticipated expenses of the State for 1920?

What portion of the State's revenue is proposed to be given to the schools?

How much of the State's revenue is proposed to be donated to road purposes both for original construction and for maintenance for years 1920-1921?

What is the State debt as of January 1, 1920?

Mr. Lazarus moved to defer consideration of said resolution until time could be given for a motion that the House shall resolve itself into a Committee of the Whole House to hear the Governor speak on the budget bills numbered 434 and 435.

Said motion was agreed to.

Mr. Meyers moved that today's session be indefinitely extended.

Said motion was agreed to.

Mr. Lazarus moved that the House do now resolve itself into the Committee of the Whole House to hear Governor Morrow explain House Bills numbered 434 and 435, known as the budget bills.

Said motion was agreed to.

Then the House resolved itself into the Committee of the Whole, and the Speaker called Mr. Wash to the chair to preside over the committee.

Governor Morrow addressed the Committee of the Whole on the subject above indicated.

At the conclusion of the Governor's address Mr. Lazarus moved that the Committee of the Whole do now rise and report progress.

Said motion was agreed to.

Then the committee rose and the Chairman, Mr. Wash, reported that the Committee of the Whole had heard Governor Morrow's address but had come to no resolution thereupon.

Mr. Lazarus, of the Committee on Rules, moved that the following bills be given their first reading and that they be placed in the calendar:

Senate Bill No. 143, entitled: An Act to suppress mob violence and prevent lynching. Providing for punishment of persons violating the provisions of the Act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

House Bill No. 513, entitled: An Act imposing an annual license tax upon every corporation, association, partnership and individual engaged in the business of manufacturing distilled spirits known as whisky or brandy or other species of double stamp spirits in this State, and upon every corporation, association, partnership and individual engaged in the business of owning and storing such spirits in bonded warehouses in this State, and in removing same therefrom for the purpose of sale, or for any other purpose; providing for monthly reports by distilleries and bonded warehousemen, for the purpose of ascertaining the amount of tax due;

providing for monthly payments of the amount of license tax due; fixing a penalty for failure to make such monthly report and settlement; providing for the manner of distribution of the taxes so collected; repealing all other license, franchise and excise taxes on the businesses covered by this Act; and declaring an emergency to exist.

House Bill No. 469, entitled: An Act to amend and reenact Section 5 of Chapter XXXVI of the Acts of the General Assembly of 1916, relating to the working of convicts on public roads and bridges.

House Bill No. 468, entitled: An Act to amend and reenact Section 2 of an Act approved March 17, 1914, entitled "An Act to further regulate the admission of inmates of the House of Reform."

House Bill No. 449, entitled: An Act to render void any provision in a will that any beneficiary, legatee or devisee who may contest the provisions of the said will shall forfeit his legacy or bequest, devise or benefit under such will or that the same should otherwise be affected by such contest.

House Bill No. 426, entitled: An Act to amend and reenact Section 189 of the Code of Practice in criminal cases, relating to continuances.

House Bill No. 430, entitled: An Act defining the civil liability of persons, firms or corporations, owning or controlling a motor vehicle for damages caused by the negligence of their agents or servants or members of their household entrusted by such person, firm or corporation with the care, custody, control or operation of such motor vehicle.

House Bill No. 31, entitled: An Act to amend Section 1777 of the Kentucky Statutes, Carroll's Edition, 1915, relating to the salaries of the deputy tax commissioners and assistant assessors and draughtsmen in counties having a population of more than seventy-five thousand.

House Bill No. 476, entitled: An Act to incorporate the "Jefferson Davis Memorial."

House Bill No. 256, entitled: An Act to make it a felony for a man to leave, desert, or abandon, without adequate support, his pregnant wife, or his wife with a child or children under sixteen years of age, or his wife without children, but unable to support herself.

Said motion was agreed to.

Said bills were severally read at length and ordered to be placed in the calendar.

A message was received from the Senate announcing that it had passed the following bills and joint resolutions:

Senate Resolution No. 19, entitled: Resolution inviting W. J. Bryan to address the General Assembly.

Senate Resolution No. 20, entitled: Resolution inviting Governor J. M. Cox and Senator W. G. Harding to address the General Assembly and appropriating money to provide for a memorial.

Senate Bill No. 28, entitled: An Act to amend Sections 4, 16, 17, 42-b, and 83 of an Act entitled, "An Act to provide an elective system of Workmen's Compensation for Industrial Accidents" and known as Chapter XXXIII of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23, 1916, and the same Act as amended by what is known as Chapter CLXXVI of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1918, and approved by the Governor March 29, 1918. Said sections as amended, and to be amended by this Act, are known as Sections 4883, 4897, 4898, 4925 and 4968 of Carroll's Statutes, Vol. 3, 1918 Edition.

Senate Bill No. 201, entitled: An Act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this State, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals, and United States Senators.

Senate Bill No. 140, entitled: An Act to require sign boards or index boards to be placed on the public highway in certain counties of this Commonwealth and providing expenses therefor.

Senate Bill No. 256, entitled: An Act creating the position of Member Ex-officio of the Board of Trustees of the University of Kentucky.

Senate Bill No. 250, entitled: An Act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per carload.

Ordered that said bills be printed and referred to the Committee on Rules.

Also that the Senate had passed House Resolution No. 32, entitled: Joint resolution for the benefit of the Pages and Cloakroom keepers of the House and Senate.

House Resolution No. 25, entitled: Joint resolution for the benefit of Edgar McCandless, janitor of the House.

Ordered, that said resolutions be enrolled.

Another message was received from the Senate announcing that it had passed House Bill No. 150, entitled: An Act to repeal Section 3, Chapter CXXX, Acts of 1918, and to enact in lieu thereof a new section providing for the distribution of the school fund by the County Board of Education and fixing the minimum salary of teachers.

With an amendment thereto by way of substitute therefor.

Also that it had passed House Bill No. 147, entitled: An Act to amend Section 2625 of the Kentucky Statutes of 1915, compiled by the Honorable John D. Carroll.

Also that it had passed House Bill No. 122, entitled: An Act to amend Section 186 of the Constitution of the Commonwealth of Kentucky relating to the distribution and use of the Public School Fund of the Commonwealth of Kentucky.

Also that it had passed House Bill No. 116, entitled: An Act entitled: An Act providing for the submission to the voters of the State of Kentucky for their rejection or ratification, amendments to Sections 91, 93 and 95 of the Constitution of the State of Kentucky.

Also that it had passed House Bill No. 90, entitled: An Act to repeal and re-enact Sub-division 9 of Article 4 of Chapter LXXXIX of Kentucky Statutes, Carroll's Edition, 1915, and the amendment thereto as provided in Chapter LXXVIII at page 393 of the Acts of the General Assembly of Kentucky, passed at its regular session in the year 1918 and relating to the government of cities of the third class and providing for a system of public schools and the election, qualification, term of office and meeting of the Board of Education of said cities of the third class and the number that shall constitute a quorum for the transaction of all business of said boards of education; providing for the form of the ballot and the manner of holding the elections for the members of said boards of education, the manner of voting, the manner of filling vacancies, the powers and duties of said

boards of education, the manner in which public school property shall be acquired, held and disposed of, including the right of eminent domain, the manner of selecting teachers, officers and employees and of fixing their duties, terms and compensation, the selection of courses of study and text books, the establishment of high schools, the publication of a printed statement at the end of each scholastic year, a report to the city auditor or clerk with reference to the financial needs of the boards of education, limiting the amount of tax that may be levied for school purposes, the submission to the voters of the question of issuing bonds for school purposes when deemed necessary by said boards of education, and the manner in which said elections shall be held, the manner in which the general councils or boards of commissioners shall provide annually for the school fund, the power of the boards of education to borrow money, the manner of levying and collecting ad valorem, poll and license taxes, separate buildings and schools for the education of white and black children, prohibiting members of the boards of education from having any financial interest in any contract made by the boards; providing for the election of a treasurer, the continuance unimpaired of all contracts and liabilities, taxes, sinking funds, indebtedness, bonded or otherwise, the manner in which funds shall be paid out, that cities of the third class shall each constitute one school district for taxing purposes and providing for the taking of a census; providing for the choice of officers for the board of education, including a secretary and the manner of fixing his salary, the establishment and maintenance of public school libraries, the admission of pupils outside the limits of the city, the repeal of all inconsistent laws, except special acts pertaining to certain cities, and the recognition of the existence of an emergency.

With an amendment thereto which reads as follows:

Amend House Bill 90 by striking out of Section 1, the following portion thereof, beginning after the word "education" in line 5, and ending with the word "city," at the end of paragraph in line 11, and inserting in lieu thereof the fol-

lowing words: "consisting of nine members to be elected from the city at large by the qualified voters thereof at the November election in 1921, five of whom shall hold office for four years and four of whom shall hold office for two years. The board first elected hereunder shall at its first meeting determine by lot, which of its members shall serve for two years and which for four years. At the expiration of their respective terms their successors shall be elected for a term of four years. Said trustees shall possess the same qualifications as are required for councilmen or commissioners of said city."

Also that it had passed House Bill No. 77, entitled: An Act to enlarge and extend the powers, duties and privileges of the Auditor of Public Accounts; to abolish the office of State Fire Marshal; to abolish the office of Superintendent of Fire Insurance Rates; to supervise the operation of fire insurance rate-making bureaus and providing for their examination, prohibiting rebating and discriminations in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; providing for the prevention of fire waste, the investigation of fires and the origin thereof, and the consequential loss of life; fixing salaries and expenditures and prescribing duties; levying a tax upon certain insurance companies authorized to do business in the State for necessary expenses incident to the Act; providing penalties for violation; and repealing existing statutes.

With sundry amendments thereto which read as follows:

(1) Amend Section 1 by striking out after the word "rates," in line 4, the word "he" and all of lines 5, 6, 7, 8, and 9, so that said section when amended will read as follows:

"Section 1. The Auditor of Public Accounts, hereinafter referred to as the Auditor, is hereby vested with the authority to and shall assume and discharge all the powers,

duties and privileges conferred by law upon the fire marshal and the superintendent of fire insurance rates."

(2) Amend Section 2 by adding to said section the following words: "but shall not at any time employ exceeding four persons as inspectors to carry out or enforce the provisions of Sections 6-24 inclusive of this Act," so that said section as amended will read as follows:

"Section 2. The Auditor may employ deputies and such other assistants as he may find necessary, to hold at his pleasure, and he shall fix from time to time their duties and compensation and he may incur such other expenses as may be necessary in the performance of the duties imposed by the Act, but shall not at any time employ exceeding four persons as inspectors to carry out or enforce the provisions of Sections 6-24 inclusive of this Act."

(3) Amend Section 35 by adding after the word "profit," in line 5 the following words: "nor to insurance written on the reciprocal or inter insurance plan; nor to co-operative assessment insurance companies incorporated or unincorporated under the laws of this State;" so that said section as amended will read as follows:

"Section 35. The provisions of this Act shall not apply to purely mutual or to purely profit-sharing fire insurance companies incorporated or unincorporated under the laws of this State and carried on by members thereof solely for the protection of their property and not for profit; nor to insurance written on the reciprocal or inter insurance plan; nor to co-operative assessment insurance companies incorporated or unincorporated under the laws of this State; nor to companies, societies or associations organized under the authority and patronage of any church or religious denominations for the exclusive purpose of insuring the property of churches or religious denominations and the personal property of the pastors or ministers thereof against loss or damage by fire, lightning or storm."

Also that it had passed House Bill No. 60, entitled: An Act relating to roads and bridges; creating the Department of State Roads and Highways, providing for officers to ad-

minister it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provision of the Federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for co-operative work with the United States Government; providing for the payment of the State's part of the construction of State aid roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designing a primary system of State highways and providing for their construction and maintenance; providing for the obtaining of rights of way and naming cities and towns from which construction shall commence; and repealing Sub-sections 1, 2, 4, 5, 6 and 7 of Section 4356-t, Kentucky Statutes, Edition 1915; also repealing Sections 4356-u, and Sub-sections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25 of Section 4356-x, Kentucky Statutes, Edition 1915, and the supplement to said edition known as Vol. 3, repealing any other Act or Acts in conflict herewith.

With sundry amendments thereto which read as follows:

(1) Amend House Bill 60 by striking out of Section 1, beginning with line 89, "he shall have not less than ten years active experience in civil and highway engineering immediately before his appointment, or."

(2) Amend Section 3, House Bill 60, page 7, by adding in line 45 after the word "Auditor" the following: "said temporary road shall be opened and designated by State Highway Commissioner or his agents at least two weeks before work is begun on road designated as new road for construction."

(3) Amend Section 4 by striking out all of the first paragraph of said section and inserting in lieu thereof the following: "the General Assembly of the Commonwealth of Kentucky continues its assent to the provisions of the Act of Congress approved July 11, 1916, entitled:"

(4) Amend Project No. 45, by adding to line 77 the following words, to-wit: "and from Hartford via Fordsville to Hardinsburg."

(5) Amend House Bill 60 in Senate by adding the following: "Project No. .., Frankfort to Owenton, via Bloomington, Swallowfield, Mouth of Morgadore, Cedar Creek, Monterey and Cedar Hill."

(6) Amend House Bill 60 by adding the following: "Project No. .., from Carlisle to Sharpsburg to Owingsville."

(7) Amend House Bill 60, Project No. 40, page 13, to read "from Albany to Glasgow, via Burkesville, Willow Shade and Summer Shade."

(8) Amend Project 10 by striking out the word "and" after the word "Princeton" in line 29, and by inserting the words "and Kuttawa," after the word "Eddyville" in line 30.

(9) Amend House Bill 60 as follows: By striking out line 71 of Section 5, designated as Project No. 41, and inserting in lieu thereof the following: "Project 41, from Elizabethtown to Columbia, via Hodgenville and Greensburg."

(10) Amend House Bill 60 as follows: By striking out lines 5 to 8 inclusive, of Section 5, designated as Project No. 1, and inserting in lieu thereof the following: "Project No. 1, from Wickliffe to Springfield, via Bardwell, Mayfield, Benton, Eggner's Ferry, Fenton, Cadiz, Gracey, Hopkinsville, Elkton, Russellville, Bowling Green, Glasgow, Edmonton, Greensburg, Campbellsville and Lebanon."

(11) Amend House Bill 60 in Senate by adding thereto a new project, page 15, as follows: "Project No. .., from Covington to Paris, via Independence, Nicholson, Fishburg and Falmouth."

(12) Amend House Bill No. 60 by striking from the printed bill the words "from Frankfort to Versailles" in line 55, on page 13 and substituting in place thereof the words, "from Frankfort, via Versailles, Troy and Brooklyn Bridge to Harrodsburg."

(13) Amend Section 5 of House Bill 60, Project 47, line 81, by striking out the word "Nicholasville" and substituting "South Elkhorn."

(14) Amend House Bill No. 60 by amending Project No. 7, by striking out the words "and Hickman" so that said Project No. 7 shall read as follows: "Project No. 7, from Bardwell to Kentucky-Tennessee State line at Fulton, via Clinton."

(15) Amend House Bill 60 by striking therefrom Project No. 54 and in lieu thereof inserting the following: "Project No. 54, from Mayfield to the Kentucky-Tennessee State line near Reelfoot Lake, via Fulton and Hickman."

(16) Amend House Bill 60 in Senate by adding thereto after line 103 a new project as follows: "Project 58 3-4, from Cynthiana to intersect the Maysville and Lexington turnpike road at a point between Carlisle and Millersburg."

(17) Amend House Bill 60 in Senate by adding thereto the following project: "Project 21 1-2, from Augusta to Newport, via Gertrude, Johnsville, then to some point on the pike leading from Foster and Lenoxburg, then with said pike to Lenoxburg, to Caddo, to the most feasible point on Project No. 21."

(18) Amend House Bill 60 by striking out Project No. 44 and substituting therefor the following: "Project No. 44, from Taylorsville to Lawrenceburg, via Bloomfield."

(19) Amend House Bill 60, line 98, by striking out the word "Keeokee" and inserting in lieu thereof the word "Appalachia."

(20) Amend House Bill 60, Section 5, by adding a new project as follows: "Project No. . ., from Campbellsburg to Bedford."

(21) Amend Section 5 by striking therefrom all of Project No. 15, same being lines 40, 41 and 42 on page 12, and insert in lieu thereof, the words: "Project No. 15, from Central City to Kentucky-Tennessee State line at Geddes, via Cleaton, Bevier, Drakesboro, Lewisburg, Russellville, and Franklin, to extend to Warren county line from Franklin, Simpson County, Kentucky."

(22) Amend House Bill 60 by striking from Section 5, Project 29, the following: "From Richmond to Jackson, via Irvine and Beattyville," and by adding in lieu thereof the

following: "From Richmond to West Liberty, via Irvine, Beattyville and Jackson."

(23) Amend line 51 1-2 by adding thereto the following: "and Stephens Mill."

(24) Amend Project 10, by adding in line 30, after the word "Eddyville," the words "and from Princeton to Marion."

(25) Amend Section 7, in line 35 on page 18, by inserting the words "condemnation or other" after the word "such."

(26) Amend Section 9 by adding after the word "Winchester," in line 10, the words "and Newport."

(27) Amend Section 9, page 19, of House Bill 60, by adding after the word "Winchester," in line 10, the words "Central City."

(28) Amend House Bill 60 by striking out the word "and," in line 10 of Section 9, and inserting a comma between the words "Middlesboro and Winchester" in said line 10, striking out the period after the word "Winchester" in said line 10, and adding after the word "Winchester" in said line 10 the words "and Greenup."

(29) Amend House Bill by adding the words "Albany and Greensburg" to Section 9 as centers of construction towns.

(30) Amend House Bill 60 by adding the word "Danville" after the word "Bowling Green," in line 4, Section 9.

(31) Amend House Bill 60 by adding to Section 9 thereof the towns of "Mayfield and Fulton and Bardwell" as centers of construction.

(32) Amend House Bill 60 in Senate by adding after the word "Leitchfield," in line 8, Section 9, the word "Elizabethtown."

(33) Amend House Bill 60 by adding to Section 9, after the word "Richmond," the word "Irvine."

(34) Amend by adding the word "Falmouth" after the word "Winchester" in printed bill, line 10, Section 9.

(35) Amend House Bill 60, Section 9, line 10, as follows: Add the word "Mt. Sterling" after the word "Winchester."

(36) Amend House Bill 60, Section 5, after line 107, "from Lagrange to Shelbyville, via Chestnut Grove."

(37) Amend House Bill 60 by adding after Sub-section 11, the following sub-section, to be designated as Section 12.

"Section 12. The State Road Engineer may, with the approval of the State Highway Commission, purchase of the owner any gravel bed or pit, stone quarry, or any other quarry or mine containing any mineral, material or other substance suitable for road building or for the surfacing of roads within the State, gravel, stone, mineral, material or other substance suitable for the purpose of building, repairing or otherwise improving the roads to be built by the State, at a price per cubic yard or per ton to be approved by the State Highway Commission. If the State Road Engineer can not agree with any such owner for the purchase of such gravel, stone or other road building or repairing material, he may, with the approval of said State Highway Commission, acquire by condemnation the right to take or use such gravel, stone or other road building material and to remove same from such bed, quarry or mine for the purpose of building, repairing or otherwise improving such roads, together with the rights of way to and from such bed, pit, quarry or mine. No such gravel, pit, stone quarry, or mine shall be taken by condemnation within one thousand feet from any dwelling, stock barn, or from any lawn.

The purchase price of such stone, gravel, or other road building material and the damage in such condemnation proceedings together with the costs and expenses thereof shall be a charge against the State road fund and paid out of the monies collected therefor as provided by law. If the State shall abandon for five years any right acquired in this section to take or use the gravel, stone or other road building material from any such bed, pit, quarry or mine, or should the State Road Engineer cease to use the same for the purpose for which it was acquired, the right thereto shall cease and the ownership shall revert to and become invested in the owner of such bed, pit, stone quarry, or other quarry or mine containing any mineral, material or substance suitable for road building or road repairing, his heirs and assigns, except

when the State Highway Commission has acquired the fee to the lands by purchase, in which case the title shall remain in the State Highway Commission.

The State Highway Commission may upon proper terms, permit any contractor who shall be given a contract, under the terms of this Act, to build or repair any road designated under this Act or may hereafter be designated by the State Highway Commission, to take gravel, stone, mineral, material or other substance suitable for road building or road repairing from any such gravel pit, stone quarry, or mine, that may be acquired by it under the terms of this Act and it may when it deems necessary for the proper building or repairing of any road designated under this Act or may hereafter be designated, first procure by purchase or condemnation proceedings as above provided, any gravel pit, stone quarry, or other quarry or mine containing any gravel, stone, mineral, material or other substance suitable for building, repairing or otherwise improving the roads to be built by the State, before advertising for bids to build or repair such roads, and may state in said advertisement or otherwise, the terms upon which the contractor whose bid might be accepted, may use such gravel pit, stone quarry, other quarry or mine and take the material therefrom. All condemnation proceedings hereunder shall be in the manner provided by law for the condemnation of land for railroads."

(38) Amend by adding the following project: "Project No. 9 1-2, from Paducah to Bardwell, via Lovelaceville and Cunningham."

(39) Amend House Bill 60, Project 19, by inserting between the words "New Castle" and "and" the words "Pleasureville, Bethlehem and Gratz," and omitting the word "and" before the word "Owenton" and inserting in lieu thereof the word "to," so when said correction is made, Project 19 will read as follows: "from Russell's corner to Williamstown, via LaGrange, New Castle, Pleasureville, Bethlehem and Gratz to Owenton."

Also that it had passed Senate Bill No. 1, entitled: An Act to provide for wash-rooms in certain employments to protect the health of employees and secure public comfort.

Also that it had passed Senate Bill No. 21, entitled: An Act creating a County Board of Education, prescribing its duties, fixing the tenure of office and compensation of its members; providing for the election of county superintendent by said board, fixing his qualifications, compensation and term of office and prescribing his duties and fixing his bond; providing for the election of an attendance officer by the County Board of Education; providing for a levy of tax for common school purposes in each county, prescribing the duties of the county tax commissioner, the county court clerk; with reference to the assessment of the property subject to said tax and prescribing the duties of the County Board of Education and the fiscal court levying said tax and prescribing the duties of the sheriff in collecting said taxes and making his settlement to the fiscal court; providing the manner of paying his commission for collecting same; prescribing the duties of the fiscal court with reference to making settlement with the sheriff for said tax; providing for employment of teachers; providing for the appointment of district trustee and prescribing their duties.

With the amendments thereto proposed by the House which read as follows:

Amendment No. 1. Amend Senate Bill 21, Section 1, line 33, by pluralizing the word "election."

Amendment No. 2. Amend Senate Bill 21, Section 1, by striking out of line 69 the word "or" and inserting in lieu thereof the word "as."

Amendment No. 3. Amend Senate Bill 21, Section 1, line 78, by pluralizing the word "officer."

Amendment No. 4. Amend Senate Bill 21, in House, by inserting at the end of the first paragraph of Section 11, after the word "dismissal" the following: "Provided nothing herein shall be construed as affecting the present law for the employment of teachers before the year 1921."

Amendment No. 5. Amend Senate Bill 21, Section 10, by striking out of line 2 the words "the month of May."

Amendment No. 6. Amend Senate Bill 21, Section 10, line 18, by striking out the word "not."

Amendment No. 7. Amend Senate Bill 21, Section 11, by striking out of line 2, after the word "appointment," the word "of" and inserting in lieu thereof the word "by."

Amendment No. 8. Amend Senate Bill 21, Section 15, by striking out of line 7, after the word "effective," the word "and."

Amendment No. 9. Amend Senate Bill 21, in the House, by striking out all of Section 8 and inserting in lieu thereof the following:

"Section 8. It shall be the duty of the County Tax Commissioner of each county, upon blanks furnished to him by the State Tax Commission, in making the assessment for the county, to show on each assessment the property subject to taxation under provisions of this Act, and it shall be the duty of the County Court Clerk, after the Tax Commissioner has made out and completed the tax assessor's books of the county, to certify to the County Superintendent the total assessed valuation of property in the county subject to taxation under the provisions of this Act. Upon receipt of such certificate from the County Court Clerk, it shall be the duty of the County Board of Education created by this Act, each year, beginning with the year 1921, and of the present County Board of Education of 1920, to prepare, subject to the rules and regulations of the State Board of Education and on and with the advice of the County Superintendent, an itemized and detailed school budget, showing the amount of money needed for supplementing teachers' salaries, for permanent improvements, repairs, furniture, old buildings, maintenance and support of schools during the succeeding school year, and also the estimated total amount that will be received from the

State and the amount that will be needed to be raised by local taxation, including the rate of levy necessary to raise such amount, which in no event shall be less than twenty-five cents nor more than fifty cents on each one hundred dollars worth of taxable property in the territory affected by this Act. This annual school budget shall be submitted in writing to the County Court Clerk not less than ten days before the usual day for making the county levy, and it shall be the duty of the Clerk of the County court to present it to the Fiscal Court when it convenes to make the annual county levy."

Provided, that for the year 1920 the said budget need not be submitted ten days before the regular levying day of the Fiscal Court. When such budget has been submitted to the Fiscal Court as herein provided, it shall be the duty of the Fiscal Court to make the levy therein recommended and demanded, upon all taxable property subject to state taxation in said county, exclusive of property located in graded school districts and cities and towns maintaining a separate and distinct system of common schools.

At the same time that the Fiscal Court makes the ad valorem levy demanded by the County Board of Education, it shall also impose upon all legal voters residing in the territory affected by the said ad valorem tax, a capitation tax not exceeding one dollar each. It shall be the duty of the Sheriff of the county, in the same manner and at the same time he collects other state and county revenues, to collect the tax imposed under the provisions of this Act, and after deducting his commission for same as now allowed by law and provided herein. Provided, however, the commission allowed the Sheriff for the collecting said tax shall not exceed one per cent of the total school tax collected.

For the purpose of determining the Sheriff's commission for collecting the tax provided for in this Act, the tax so collected, together with the state and county revenue collected by the Sheriff, shall be treated as one fund, and the Sheriff shall deduct from the taxes collected under the provisions of this Act, his commission for collecting same, which shall be in proportion to his entire commission on the combined funds referred to herein, as the school taxes collected bears to all the

taxes collected by him. The county Board of Education, by an order entered of record on its books, may require the Sheriff to make monthly settlements of the taxes collected by him under the provisions of this Act. The Fiscal Court shall annually make a settlement with the Sheriff for the taxes collected under the provisions of this Act in the same manner as now provided for by law for settlement of state and county taxes, and a copy of said settlement must be filed with the County Board of Education. The money collected by taxation under the provisions of this Act shall be expended by the County Board of Education in accordance with recommendation contained in the budget submitted to the Fiscal Court as herein provided.

The money raised by the levy under this section of this Act shall be devoted first and exclusively, up to the amount of the minimum levy herein provided, for the purpose of supplementing the teachers' salaries engaged in teaching in the territory affected by the provisions of this section, until the minimum salary now allowed by law, or as may hereafter be allowed by law, for teachers is reached, and after said minimum has been reached, the money raised by such levies may be used for supplementing teachers' salaries, building of schoolhouses, equipment of same, and other costs of maintenance and operation, as in the judgment of the County Board of Education may be determined; but the amount necessary, as well as the levy necessary, for supplementing teachers' salaries and for the other purposes herein set forth, must be itemized in the budget submitted by the County Board of Education to the County Fiscal Court at the time the request for the levy is made.

Amendment No. 10. Amend Senate Bill No. 21, Section 5, line 4, by striking out the words "State Board of Health" and inserting "County Board of Health."

Amendment No. 11. Amend Senate Bill No. 21, by adding after the word "year," in line 18, on page 10, "to be paid out of the county funds of each county."

Resolved that the title of said bill be amended as follows:

By striking out of line 3 the word "its" and inserting in lieu thereof the word "his."

With the exception of Amendment No. 11, in which the Senate refused to concur.

Mr. Lazarus moved to take up for consideration House Bill No. 60 as amended.

Said motion was agreed to.

Mr. Lazarus moved that the House do concur in all of the Senate amendments to said bill, to-wit: amendments numbered 1 to 39 inclusive.

Said motion was agreed to and said amendments were concurred in.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed, as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	S. G. Smith
Sidney Alfrey	J. M. Knott	H. A. Spillman
L. H. Ballard	Dr. S. D. Laughlin	Wm. A. Stewart
H. H. Barnes	Hebron Lawrence	John T. E. Stites
J. M. Billiter	Joseph Lazarus	T. R. Stultz

Rodney G. Bryson	R. C. Marcum	John W. Swope
Roy J. Cain	I. S. Mason	J. M. Thompson
W. T. Carner	A. J. McCandless	**J. H. Thompson**
J. F. Carr	R. L. McFarron	C. B. Truesdell
T. L. Caudel	H. C. McLellen	John L. Trumbo
Charles M. Ciarlo	**Harry J. Meyers**	J. Wood Vance
A. S. Cooper	Claude D. Minor	**Fred C. VanHoose**
B. L. Cox	Mack J. Morgan	Daniel Vose
J. S. Cruse	Chas. A. Nelson	G. C. Waggoner
H. N. Dean	T. C. Pryse	A. M. Wash
Dr. T. H. Gamblin	J. L. Richardson	J. S. Webb
A. F. Hanberry	Sherman Robbins	Gladstone Wesley
Dr. W. L. Haynes	Lee Rogers	V. M. Williamson
A. R. Hudson	B. A. Roth	Dr. W. S. Yazell
Robt. Humphreys	W. P. Scott	—61
J. W. Johnson	E. E. Shannon	

Voting in the negative:

P. A. Day —1

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus moved that the House take up for consideration amendments to Senate Bill No. 21.

Said motion was agreed to.

Mr. Wash moved that the House do recede from amendment No. 11, proposed in the House.

Said amendment is as follows:

Amend Senate Bill No. 21, by adding after the word "year," in line 18, on page 10, "to be paid out of the county funds of each county."

Said motion to recede was adopted and the House recedes from amendment No. 11.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	E. E. Shannon
L. H. Ballard	Robt. Humphreys	S. G. Smith
H. H. Barnes	Henry Kaufman	Wm. A. Stewart
J. M. Billiter	Dr. S. D. Laughlin	John T. E. Stites
Rodney G. Bryson	Hebron Lawrence	T. R. Stultz
W. T. Carner	Joseph Lazarus	J. M. Thompson
J. F. Carr	R. C. Marcum	J. H. Thompson
T. L. Caudel	I. S. Mason	C. B. Truesdell
Charles M. Ciarlo	A. J. McCandless	John L. Trumbo
A. S. Cooper	R. L. McFarron	Fred C. VanHoose
B. L. Cox	Harry J. Meyers	Daniel Vose
J. S. Cruse	Mack J. Morgan	G. C. Waggoner
H. N. Dean	T. C. Pryse	A. M. Wash
Dr. T. H. Gamblin	J. L. Richardson	J. S. Webb
Dr. W. L. Gossett	Sherman Robbins	Gladstone Wesley
A. F. Hanberry	Lee Rogers	V. M. Williamson
Dr. W. L. Haynes	B. A. Roth	Dr. W. S. Yazell
A. R. Hudson	W. P. Scott	—53

Those who voted in the negative were:

Lon Adams	J. W. Johnson	Chas. A. Nelson
Roy J. Cain	J. M. Knott	J. Wood Vance
		—6

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By unanimous consent the following bill was introduced by Mr. Richardson:

House Bill No. 527, entitled: An Act relating to unlawful carnal knowledge of an idiot, lunatic, imbecile, feeble-minded person or person of any other unsoundness of mind and prescribing and fixing penalties for violation thereof.

Ordered that said bill be printed and referred to the Committee on Rules.

Mr. Lazarus moved to take up for consideration the Senate amendments to House Bill No. 77.

Said motion was agreed to.

Said amendments are as follows:

(1) Amend Section 1 by striking out after the word "rates" in line 4 the word "he" and all of lines 5, 6, 7, 8 and 9, so that said section when amended will read as follows:

"Section 1. The Auditor of Public Accounts, hereinafter referred to as the Auditor, is hereby vested with the authority to and shall assume and discharge all the powers, duties and privileges conferred by law upon the fire marshal and the superintendent of fire insurance rates."

(2) Amend Section 2 by adding to said section the following words: "but shall not at any time employ exceeding four persons as inspectors to carry out or enforce the provisions of sections 6-24 inclusive of this act," so that said section as amended will read as follows:

"Section 2. The Auditor may employ deputies and such other assistants as he may find necessary, to hold at his pleas-

ure, and he shall fix from time to time their duties and compensation and he may incur such other expenses as may be necessary in the performance of the duties imposed by the act, but shall not at any time employ exceeding four persons as inspectors to carry out or enforce the provisions of sections 6-24 inclusive of this act."

(3) Amend Section 35 by adding after the word "profit" in line 5 the following words: "nor to insurance written on the reciprocal or inter-insurance plan; nor to co-operative assessment insurance companies incorporated or unincorporated under the laws of this State," so that said section as amended will read as follows:

"Section 35. The provisions of this act shall not apply to purely mutual or to purely profitsharing fire insurance companies incorporated or unincorporated under the laws of this State and carried on by the members thereof solely for the protection of their property and not for profit; nor to insurance written on the reciprocal or interinsurance plan; nor to co-operative assessment insurance companies incorporated or unincorporated under the laws of this State; nor to companies, societies or associations organized under the authority and patronage of any church or religious denominations for the exclusive purpose of insuring the property of churches or religious denominations and the personal property of the pastors or ministers thereof against loss or damage by fire, lightning or storm."

Mr. Lazarus moved that the House do concur in said Senate amendments.

Said motion was agreed to and said amendments were concurred in.

Then the question was taken upon the passage of the bill as amended.

The yeas and nays being taken thereon resulted as follows:

Those who voted in the affirmative were:

Lon Adams	Robt. Humphreys	S. G. Smith
Sidney Alfrey	Henry Kaufman	Wm. A. Stewart
L. H. Ballard	Griffin Kelly	John T. E. Stites
H. H. Barnes	J. M. Knott	T. R. Stultz
J. M. Billiter	Dr. S. D. Laughlin	John W. Swope
Rodney G. Bryson	Hebron Lawrence	J. M. Thompson
Roy J. Cain	Joseph Lazarus	J. H. Thompson
W. T. Carner	R. C. Marcum	C. B. Truesdell
J. F. Carr	I. S. Mason	John L. Trumbo
T. L. Caudel	A. J. McCandless	Daniel Vose
Charles M. Ciarlo	R. L. McFarron	G. C. Waggoner
A. S. Cooper	Harry J. Meyers	A. M. Wash
J. S. Cruse	Chas. A. Nelson	J. S. Webb
H. N. Dean	T. C. Pryse	Dr. T. R. Welch
Dr. T. H. Gamblin	J. L. Richardson	Gladstone Wesley
A. F. Hanberry	Sherman Robbins	V. M. Williamson
Dr. W. L. Haynes	Lee Rogers	Dr. W. S. Yazell
A. R. Hudson	B. A. Roth	—55
Adam W. Huff	W. P. Scott	

So said bill as amended was passed.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered that said bill be enrolled.

Mr. Lazarus moved to take up for consideration the Senate amendment to House Bill No. 90.

Said motion was agreed to.

Mr. Lazarus moved that the House do concur in the Senate amendment to said bill, which amendment reads as follows:

Amend House Bill No. 90 by striking out of Section 1 the following portion thereof, beginning after the word "education" in line 5, and ending with the word "city," at the end of paragraph in line 11, and inserting in lieu thereof the following words: "consisting of nine members to be elected from the city at large by the qualified voters thereof at the November election in 1921, five of whom shall hold office for four years, and four of whom shall hold office for two years. The Board first elected hereunder shall at its first meeting determine by lot which of its members shall serve for two years and which for four years. At the expiration of their respective terms their successors shall be elected for term of four years. Said trustees shall possess the same qualifications as are required for councilmen or commissioners of said city."

Said motion was adopted and said amendment was concurred in.

Then the question was taken upon said bill as amended

The yeas and nays being taken thereon resulted as follows:

Those who voted in the affirmative were:

Sidney Alfrey	Robt. Humphreys	H. A. Spillman
L. H. Ballard	Henry Kaufman	Wm. A. Stewart
H. H. Barnes	Griffin Kelly	John T. E. Stites
J. M. Billiter	J. M. Knott	Frank L. Strange
Roy J. Cain	Dr. S. D. Laughlin	John W. Swope
W. T. Carner	Hebron Lawrence	J. M. Thompson
J. F. Carr	Joseph Lazarus	J. H. Thompson
T. L. Caudel	I. S. Mason	C. B. Truesdell
Charles M. Ciarlo	A. J. McCandless	John L. Trumbo
A. S. Cooper	R. L. McFarron	Fred C. VanHoose
J. S. Cruse	H. C. McLellen	Daniel Vose
P. A. Day	Harry J. Meyers	G. C. Waggoner
H. N. Dean	Claude D. Minor	A. M. Wash
Dr. T. H. Gamblin	Mack J. Morgan	J. S. Webb

Dr. W. L. Gossett	Sherman Robbins	Dr. T. R. Welch
A. F. Hanberry	B. A. Roth	Gladstone Wesley
Dr. W. L. Haynes	E. E. Shannon	V. M. Williamson
A. R. Hudson	Dr. B. F. Shields	Dr. W. S. Yazell
Adam W. Huff	S. G. Smith	—56

Those who voted in the negative were:

Lon Adams	Chas. A. Nelson	—2

So said bill as amended was passed.

Mr. Vose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered that said bill be enrolled.

Mr. Lazarus moved to take up for consideration Senate amendment by way of substitute to House Bill No. 150.

Said motion was agreed to.

Mr. Wash moved that the House do concur in said Senate amendment by way of substitute, which reads as follows:

An Act providing for a minimum salary for teachers employed outside of graded school districts and outside of incorporated cities and towns maintaining a separate school system, providing for raising the fund to pay same and, the method of payment.

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

No teacher regularly employed in public schools of the Commonwealth of Kentucky, outside of graded school districts and incorporated cities and towns maintaining a separate school system, shall, except as herein provided, receive a

salary of less than seventy-five dollars per month; and for the purpose of supplementing the State fund so as to meet the requirements of this act, it shall be the duty of each county board of education to request, and of the fiscal court to levy, a minimum tax of twenty-five cents on each one hundred dollars of taxable property in the territory affected by this act; and the tax so collected, or so much thereof as may be necessary, shall be devoted first to the payment of said minimum salary of seventy-five dollars per month. In the event the said minimum levy of twenty-five cents together with the fund received from the State for paying teachers' salaries will not provide sufficient funds for the payment of said minimum salary of seventy-five dollars per month, said county board may levy a higher rate to raise such funds as may be necessary to meet said minimum salary of seventy-five dollars per month, or may fix a minimum salary at such a sum per month as the State fund, when supplemented by the entire twenty-five cent levy may pay.

Said motion was adopted and said amendment was concurred in.

Then the question was taken on the adoption of the bill as amended.

The yeas and nays being taken thereon resulted as follows:

Those who voted in the affirmative were:

Sidney Alfrey	J. W. Johnson	Dr. B. F. Shields
H. H. Barnes	Henry Kaufman	S. G. Smith
J. M. Billiter	Griffin Kelly	Wm. A. Stewart
Roy J. Cain	J. M. Knott	T. R. Stultz
W. T. Carner	Dr. S. D. Laughlin	John W. Swope
J. F. Carr	Hebron Lawrence	J. M. Thompson
T. L. Caudel	Joseph Lazarus	Dr. D. J. Travis
A. S. Cooper	R. C. Marcum	C. B. Truesdell
J. S. Cruse	I. S. Mason	John L. Trumbo
H. N. Dean	A. J. McCandless	J. Wood Vance

Dr. T. H. Gamblin	R. L. McFarron	Fred C. VanHoose
J. W. Geveden	Harry J. Meyers	Daniel Vose
Dr. W. L. Gossett	Claude D. Minor	G. C. Waggoner
A. F. Hanberry	Mack J. Morgan	A. M. Wash
Talbert Holliday	T. C. Pryse	J. S. Webb
A. R. Hudson	Sherman Robbins	Gladstone Wesley
Adam W. Huff	Lee Rogers	W. G. Wheeler
Robt. Humphreys	B. A. Roth	V. M. Williamson
R. O. Huntsman	E. E. Shannon	Dr. W. S. Yazell

—57

Those who voted in the negative were:

Lon Adams Chas. A. Nelson —2

So the bill was passed as amended by the substitute.

Mr. Truesdell moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, moved that the House take up for immediate consideration House Bill No. 59.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled:

House Bill No. 59. An Act that section 4405, Kentucky Statutes, Carroll's 1915 Edition, to be and is hereby amended and re-enacted to read as follows: To furnish text books for indigent children.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4405, Kentucky Statutes, Carroll's 1915 Edition, be, and the same is, hereby amended and re-enacted so that the same, when so amended and re-enacted, shall read as follows:

Section 4405. Text Books for indigent Children—Duties of County Judge, Superintendent, Trustees, Teachers, Supervisors of Rural Schools and Truant Officers.—It shall be the duty of each county superintendent of schools, before the opening of the schools each year, and immediately thereafter, and from time to time, not less than three times each year, by personal observation and from teachers, trustees and truant officials, supervisors of rural schools and otherwise, to ascertain the number of indigent children of school age in each school district and subdistrict in his county, and the number and cost of text books upon each of the common school branches needed by such indigent children in each of such districts for use in the common schools, and shall report to the county judge the names of such children, the districts in which they live and the school to which they belong, the name of the teacher and the number and kind of books needed. Such report shall be filed with the county judge immediately, and within not less than ten days after the beginning of the school term in such districts, and thereafter as above provided, and the county judge shall purchase the books needed and pay for them out of an allowance made by the fiscal court of the county, and he shall turn them over to the superintendent of the county for distribution, taking a receipt for the number and value of the books. The superintendent shall deliver such books to the children through the supervisor of rural schools or truant officer, if any, and if not, through the trustee or teacher of the school, each of whom shall take the proper receipts therefor from the parent or custodian of the child.

The Committee on Education No. 1 offered the following amendment:

Amend by striking out all of lines 22, 23 and 24 and substituting the following in lieu thereof: "children, through the

teacher of the school, who shall take the proper receipts therefor from the parent or custodian of the child. Such parent or custodian shall be held liable for return of such books to teacher, such books to be in good condition save the ordinary wear, and shall be surrendered upon order of teacher.

Said amendment was agreed to.

The same committee offered the following amendment:

Amend House Bill No. 59 by striking out of lines 16 and 17 the following words: "and within not less than ten days after beginning of the school term in such districts," and substituting in lieu thereof the following: "and within not less than ten days before the beginning of the school term in such districts."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of the bill at length be dispensed with.

This motion was agreed to.

The constitutional provision as to the third reading of the bill at length being dispensed with, the bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill resulted as follows:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	E. E. Shannon
Sidney Alfrey	Griffin Kelly	Dr. B. F. Shields

L. H. Ballard
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
A. S. Cooper
J. S. Cruse
P. A. Day
H. N. Dean
Dr. T. H. Gamblin
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. F. Hanberry
Adam W. Huff
Robt. Humphreys
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
Harry J. Meyers
Claude D. Minor
Mack J. Morgan
Chas. A. Nelson
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
B. A. Roth
S. G. Smith
John T. E. Stites
T. R. Stultz
John W. Swope
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
Daniel Vose
G. C. Waggoner
A. M. Wash
J. S. Webb
Gladstone Wesley
W. G. Wheeler
V. M. Williamson
Dr. W. S. Yazell
—58

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson moved that Harry J. Meyers, Jr., be made an honorary page.

Said motion was agreed to and it was so ordered.

Mr. Lazarus moved that the House do now adjourn.

Said motion was agreed to.

Then the House at 4:50 P. M., adjourned.

TUESDAY, MARCH 2, 1920.

The House was called to order by the Speaker at 10:00 A. M.

The House was opened with prayer by the Rev. M. S. Clark, of the Methodist Church of Frankfort.

The roll-call to ascertain the presence of a quorum resulted as follows:

Lon Adams	J. M. Knott	Wm. A. Stewart
Rodney G. Bryson	Dr. S. D. Laughlin	John T. E. Stites
Roy J. Cain	Hebron Lawrence	T. R. Stultz
W. T. Carner	Joseph Lazarus	John W. Swope
J. F. Carr	Rev. J. A. Lee	John B. Thomas
T. L. Caudel	Elmer Lusby	J. Mack Thompson
Charles M. Ciarlo	A. J. McCandless	J. H. Thompson
A. S. Cooper	R. L. McFarron	C. B. Truesdell
J. S. Cruse	H. C. McLellen	John L. Trumbo
P. A. Day	Mack J. Morgan	J. Wood Vance
H. N. Dean	John T. Murphy	Fred C. Vanhoose
J. B. Denues	Chas. A. Nelson	Daniel Vose
Dr. T. H. Gamblin	J. L. Richardson	Geo. C. Waggoner
B. J. Geohringer	Sherman Robbins	A. M. Wash
J. W. Geveden	Lee Rogers	Dr. T. R. Welch
Dr. W. L. Gossett	B. A. Roth	Gladstone Wesley
Dr. W. D. Haynes	Chas. R. Scott	W. G. Wheeler
D. J. Howard	W. P. Scott	W. N. Winn
A. R. Hudson	E. E. Shannon	Dr. W. S. Yazell
J. W. Johnson	Dr. B. F. Shields	—
Henry Kaufman	S. G. Smith	Present 62
Griffin Kelly		

On motion of Mr. Roth, the reading of the journal of yesterday was dispensed with and the journal approved.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a bill of the following title, viz.:

House Bill No. 218, entitled: "An Act to create a State Board of Charities and Corrections for the management and supervision of the benevolent, charitable, eleemosynary, correctional and penal institutions of this State; to vest in said board ample powers, including all the powers now vested by law in the State Board of Control and the managers of the House of Reform for Girls, and appropriating funds for the maintenance of the State Board of Charities and Corrections.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Lee moved to suspend the rules and take up for immediate consideration Senate Resolution No. 19, which reads as follows:

S. Res. No. 19. Resolution inviting W. J. Bryan to address the General Assembly.

Whereas, there are many questions of vital importance now agitating the public minds, and,

Whereas, it is the desire to gain all the information that can be had pertaining to such questions, and the remedies solving same, and,

Whereas, the Honorable W. J. Bryan is recognized as one of the best informed men on public questions and one of the best orators of the United States, therefore,

Be it resolved by the Senate of Kentucky, the House of Representatives concurring therein, that an invitation is hereby extended to the Honorable W. J. Bryan to address the General Assembly of Kentucky before its adjournment, March 17, at such time as best suits his convenience.

Said motion was agreed to.

Mr. Myers moved that said resolution do lie on the table.

Mr. Lee and another demanded a roll-call on the motion to table.

The yeas and nays being taken thereon resulted as follows:

Those who voted in the affirmative were:

Sidney Alfrey	B. J. Geohringer	T. C. Pryse
H. H. Barnes	A. F. Hanberry	B. A. Roth
S. M. Bennett	A. R. Hudson	Dr. Lewis Ryans
Jo F. Bosworth	Adam W. Huff	Wm. A. Stewart
Rodney G. Bryson	Henry Kaufman	John T. E. Stites
W. T. Carner	J. M. Knott	T. R. Stultz
J. F. Carr	Hebron Lawrence	J. Mack Thompson
Charles M. Ciarlo	Joseph Lazarus	C. B. Truesdell
J. S. Cruse	I. S. Mason	John L. Trumbo
H. N. Dean	A. J. McCandless	Daniel Vose

H. C. Duffy	H. C. McLellen	J. S. Webb
Dr. T. H. Gamblin	Harry J. Meyers	Gladstone Wesley

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Those who voted in the negative were:

Lon Adams	Griffin Kelly	Dr. B. F. Shields
L. H. Ballard	Dr. S. D. Laughlin	S. G. Smith
Roy J. Cain	Rev. J. A. Lee	John W. Swope
A. S. Cooper	Elmer Lusby	John B. Thomas
B. L. Cox	R. L. McFarron	J. H. Thompson
P. A. Day	Mack J. Morgan	J. Wood Vance
J. B. Denues	John T. Murphy	Fred C. Vanhoose
J. W. Geveden	Chas. A. Nelson	Geo. C. Waggoner
Dr. W. L. Gossett	B. F. Reynolds	A. M. Wash
A. L. Hamilton	Sherman Robbins	Dr. T. R. Welch
Dr. W. L. Haynes	Lee Rogers	W. G. Wheeler
D. J. Howard	Chas. R. Scott	V. M. Williamson
Robt. Humphreys	W. P. Scott	Dr. W. S. Yazell
J. W. Johnson	E. E. Shannon	

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So the House refused to table said resolution.

Mr. Lee moved that the House do adopt said resolution.

A division was had thereon and the resolution was lost.

Mr. Lazarus moved that the vote by which said resolution was lost be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vance moved that the House take up for consideration Senate Resolution No. 20.

Said motion was agreed to.

Then said resolution was referred to the Committee on Rules.

Said resolution is as follows:

Senate Resolution No. 20. Joint Resolution:

Whereas, approximately 3,000 valiant sons of Kentucky sacrificed their lives for the preservation of democracy and the protection of our national sovereignty in the recent war, and,

Whereas, the debt of gratitude owed by the people of this State and nation to these heroes can never be repaid, but their memory only honored and revered:

Now therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

First: That a memorial service for the purpose of commemorating the valiancy and heroism of Kentucky's sons, who made the supreme sacrifice in the recent war be held in the State Capitol on the 12th day of March, 1920.

Second: That Governor James Cox and Senator Warren G. Harding, of the State of Ohio, be invited to speak at said service.

Third: That a committee of five, composed of two Senators and three members of the House of Representatives be appointed to arrange said program and to have charge of said services, said committee to be appointed by the respective presiding officers of the Senate and the House.

Fourth: That in order that the names of said departed heroes may be preserved in the Kentucky Historical Society, that a bronze tablet or other appropriate memorial upon which shall be inscribed the names of all soldiers who lost their lives in said war, who were residents of this State, shall be placed in the department of the State Historical Society, which shall not cost more than $1,500 which sum is now appropriated is to be paid out of the State Treasury.

The Governor is hereby directed to appoint a committee of three to arrange for the procuring and placing said memorial in the department of the Historical Society of the State.

Fifth: That the Governor be requested to extend the invitation to Governor Cox and Senator Harding on behalf of the Kentucky Legislature.

Mr. John B. Thomas offered a resolution of the following title:

H. Res. No. 36. Resolution providing for the appointment of a County Government Commission, providing for the payment of the necessary expenses thereof, and appropriating money therefor.

Said resolution was referred to the Committee on Rules.

Messrs. Strange and Billiter were granted indefinite leaves of absence.

By unanimous consent, the following bills were introduced, ordered to be printed, and referred to the Committee on Rules:

By Mr. Welch:

H. B. 528. An Act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

To Committee on Rules.

By Mr. Lawrence:

H. B. 529. An Act relating to the Clerk of the Court of Appeals, requiring him to make monthly reports under oath of all moneys received by him on account of his official duties or position from all sources, and to pay over to the Auditor the amounts so received; deputies allowed; and making provision for the salary of the Clerk of the Court of Appeals and his deputies.

To Committee on Rules.

By Mr. Hudson:

H. B. 530. An Act to provide for the construction and maintenance, in cities of the first class, of memorials in honor of the soldiers and sailors furnished by such cities and the counties wherein situated, to the United States army and navy during the recent world war; providing for the voting of a bond issue in such cities, and for the acceptance of gifts and donations, for such purposes; partially repealing Section 2827 Kentucky Statutes; and for related purposes, including the creation of a memorial commission in such cities.

To Committee on Rules.

By Mr. Wheeler:

H. B. 531. An Act relating to Revenue and Taxation amending Section 34 and repealing Section 35 of Chapter I of Acts Special Session of 1917, now Section 4128-a-2, and Sections 4128-a-3, Volume 3, Kentucky Statutes.

To Committee on Rules.

By Mr. Ciarlo:

H. B. 532. An Act to authorize cities and towns in the Commonwealth of Kentucky to regulate by ordinance the service, and to fix and regulate the rates, tolls, and charges of water, light, gas, electric light power and heat, telephone and street railway service to users, consumers and customers.

To Committee on Rules.

By Mr. Williamson:

H. B. 533. An Act relating to Revenue and Taxation; fixing the annual tax rate on unmanufactured agricultural products, subject to taxation, other than unmanufactured agricultural products actually on hand at the plants of manu-

facturing concerns for the purpose of manufacture; fixing the date of assessment; prescribing by whom the tax shall be paid; exempting unmanufactured agricultural products from local ad valorem taxation; providing for the distribution of the fund derived from such taxation; providing for the assessment, equalization and collection of the tax.

To Committee on Rules.

Mr. Lazarus, of the Committee on Rules, moved that the House do take up for consideration House Bill No. 434.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled House Bill No. 434.

Said bill reads as follows:

An Act appropriating money for the operation and maintenance of the various Departments, Boards, Commissions, Institutions and Agencies of the State Government, except for the Legislative and Judicial Departments and except for the common schools, for the fiscal year ending June 30, 1921, and appropriating money for making permanent repairs and improvements for the benefit of said Departments, Boards, Commissions, Institutions and Agencies; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for the purpose of providing the necessary funds for the payment of the salaries, cost of maintenance, operation and permanent improvements of each of the departments, boards, commissions, institutions and agencies of the State Government named in this act, for the fiscal year ending

June 30, 1921, there is hereby appropriated out of the fund or funds specified herein the various amounts herein shown.

§ 2. Out of the general expenditure fund produced by the annual levy of fifteen cents, as now provided by law, there is hereby appropriated for the benefit of the Adjutant General's Department of the State, for use for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the payment of salaries and clerical hire, $12,000.

(b) For the payment of traveling expenses, maintenance and operation, supplies and repairs, including printing and postage necessary for the use of said Department, $15,000.

(c) As an emergency fund for the use of said Department, same to be expended only when an emergency exists and upon the order and with the approval of the Governor of the Commonwealth, $20,000.

§ 3. There is hereby appropriated out of the general expenditure fund, for the use of the Attorney General's Department of the Commonwealth of Kentucky for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For salaries of the Attorney General, First, Second, and Third Assistant Attorneys General and Law Clerk, $14,900.

(b) For all stenographic help, the salaries to be determined by the Attorney General, $3,900.

(c) For necessary traveling expenses of the Department when engaged in the State's business, printing, stamps and office supplies, $1,250.

§ 4. There is hereby appropriated out of the general expenditure fund for the use of the Department of the Auditor of Public Accounts of the Commonwealth of Kentucky, for the fiscal year ending June 30, 1921, as hereinafter set out, the following sums for the following purposes:

(a) For salaries and clerical hire, $35,000.

(b) For printing, stamps and office supplies, $4,000.

§ 5. There is hereby appropriated out of the sums realized from licenses on motor vehicles, for the benefit of the Department of Motor Vehicles of the Commonwealth of Kentucky, for the fiscal year ending June 30, 1921, not exceeding one dollar for each motor vehicle registered under the provisions of the law regulating the registration of motor vehicles in the Commonwealth of Kentucky, same to be used for the payment of salaries, clerical hire, traveling expenses, printing, stamps, office supplies and license tags.

§ 6. For the purpose of paying the expenses of the Department of Banking of the Commonwealth of Kentucky for the fiscal year ending June 30, 1921, there is hereby appropriated and ordered to be paid out of the fees realized from an examination of sundry banks and building and loan associations, as provided by law, the following sums for the following purposes:

(a) For the purpose of paying salaries, clerical help, traveling expenses, printing, stamps and office supplies, $35,000.

§ 7. There is hereby appropriated out of the general expenditure fund for the use of the State Board of Control having charge of the charitable, correctional and penal institutions of the Commonwealth, for the purpose of paying the existing deficit and for the necessary expenditures for the fiscal year ending June 30, 1921, the following amounts for the following purposes:

(a) For the purpose of paying the deficit existing on the 5th day of January, 1920, incurred in the conduct of said institutions under the control of said State Board of Control, $206,581.68.

(b) For the purpose of paying the salaries, clerical hire, traveling expenses, printing, stamps and necessary supplies for said Board of Control, and the cost of operation, maintenance, improvements, repairs and all operating expenses for the fiscal year ending June 30, 1921, for the State Reformatory at Frankfort, State Penitentiary at Eddyville, Western State Hospital for the Insane at Hopkinsville, Central State Hospital for the Insane at Lakeland, Eastern State

Hospital for the Insane at Lexington, Feeble-Minded Institute at Frankfort, and the Houses of Reform, $1,996,688.

§ 8. There is hereby appropriated out of the general expenditure fund, for the benefit of the State Board of Election Commissioners for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For salaries and all clerical hire, $310.

(b) For printing, stamps and necessary supplies, $40.

§ 9. There is hereby appropriated out of the general expenditure fund, for the use of the State Board of Health for the fiscal year ending June 30, 1921, the following amounts, to be used for the following purposes:

(a) For the purpose of paying salaries, clerical help, traveling expenses, printing, stamps, supplies and all other operating expenses, $76,300.

(b) For the payment to public health laboratories at State Experiment Station, $18,000.

(c) For prevention of venereal diseases, $27,000.

(d) For the prevention and treatment of trachoma, $13,700.

§ 10. There is hereby appropriated out of the general expenditure fund for the use of the Department of Agriculture, Labor and Statistics for the fiscal year ending June 30, 1921, the following amounts for the following purposes:

(a) For the purpose of paying all the salaries and clerical hire for said Department, $11,700.

(b) For the purpose of paying the per diem, traveling expenses and other expenses now allowed by law to the State Board of Agriculture, $2,700.

(c) For the purpose of paying all the expenses of the Department of Labor, under the said State Department of Agriculture, Labor and Statistics, as now allowed by law or as may hereafter be allowed by law, $9,000.

(d) For the purpose of paying all the expenses of the Immigration Branch (free employment) of said Department, as now allowed by law, or as may hereafter be allowed by law, $2,000.

(e) For the purpose of paying for the stationery, printing, office supplies, equipment, telephone and telegraph bills, express, freight and hauling charges and postage of said Department, $4,300.

(f) For the purpose of paying all the expenses for the field work of said Department of Agriculture, Labor and Statistics, now permitted and allowed by law or as may hereafter be authorized by law, $15,000.

(g) For the purpose of defraying the expenses of said Department in collecting statistics, as now allowed by law or as may hereafter be authorized by law, $700.

(h) For the purpose of paying traveling expenses of the Commissioner of Agriculture, Labor and Statistics, as now authorized by law or as may hereafter be authorized by law, $1,000.

(i) For the purpose of paying special premiums which the said Department is now authorized by law to pay, or which it may hereafter by law be authorized to pay, $4,000.

(j) For the purpose of creating an emergency and cooperative fund for the use of said Department, as now authorized by law or as may hereafter be authorized by law, $4,600.

§ 11. There is hereby appropriated out of the general expenditure fund, for the use of the State Board of Agriculture, for the Kentucky State Fair, for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For salaries, traveling expenses, maintenance and operation, $10,000.

(b) For premiums for the Kentucky State Fair, $15,000.

(c) For the purpose of meeting other necessary expenses for the conduct of the Kentucky State Fair, including additional premiums, all sums realized by the State Board of Agriculture from the sales of concessions, admissions, advertising, entry fees, stall rents, donations, exhibitors' tickets, rent of pavilion and grounds, and from pavilion, grand stand and midway show receipts, are hereby appropriated to the State Board of Agriculture, for the use and benefit of the Kentucky State Fair.

§ 12. There is hereby appropriated out of the general expenditure fund, for the benefit of the Confederate Pension Department for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For salaries, including clerical hire, $4,600.

(b) For the payment of pensions heretofore allowed, or that may hereafter be allowed, $361,000.

(c) For printing, stamps, office supplies and other expenses of operation, $1,900.

§ 13. There is hereby appropriated out of the general expenditure fund, for the benefit of the Kentucky Confederate Home for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the salaries of officers and employees, $14,550.

(b) For all expenses of operation and maintenance, $37,450.

(c) For permanent improvements, furniture and fixtures, $1,000.

§ 14. There is hereby appropriated out of the general expenditure fund, for the benefit of the Custodian of Public Buildings for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For all salaries of Custodian and other employees, $23,000.

(b) For repairs, supplies, permanent improvements of public buildings, and all other maintenance and operating expenses, including printing, stamps and office supplies, $60,000.

No repairs nor improvements shall be made by the Custodian of Public Buildings out of any part of the fund appropriated for said purpose, except upon order and approval of the Board of Sinking Fund Commissioners.

§ 15. There is hereby appropriated out of the general expenditure fund, for the Department of Geology and Forestry for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the payment of all salaries, including clerical help, traveling expenses, printing, stamps, supplies and all

other expenses of maintenance and operation of said Department, $25,000.

Should said Department, or any part of same, be abolished or consolidated with other Departments, the appropriation herein provided for shall be null and void and the fund herein appropriated shall remain a part of the general expenditure fund of the State.

§ 16. There is hereby appropriated out of the general expenditure fund, for the Department of Mines and Mining for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the payment of salaries and clerical hire, $18,000.

(b) For the payment of traveling expenses allowed by law, $5,000.

(c) For printing, stamps, supplies and other costs of maintenance and operation of the Department, $800.

§ 17. For the purpose of paying all the costs of operation and maintenance of the Department of Public Roads, and for carrying on its activities, for the fiscal year ending June 30, 1921, there is hereby set aside and appropriated to the Department of Public Roads all of the funds now realized from the three-cent ad valorem tax on each one hundred dollars of taxable property in the State imposed by law, or any additional or other ad valorem tax that may be imposed by law, for the exclusive benefit of public roads, and all funds realized from the automobile license tax now collected by law, or that may hereafter be imposed and collected by law for the benefit of said Department and its activities. Out of said funds so realized and collected for said fiscal year, there is appropriated and authorized to be paid, for the purpose of paying the salaries of the Commissioner of Public Roads and of all persons employed in the central office, all salaries of division engineers, all costs of inspection and supervision, and the traveling expenses of all persons authorized under the law to draw same, together with all other expenses incurred in the maintenance and operation of said Department, ex-

clusive of money actually spent in the construction of roads, the sum of $250,000.

Said sum shall be so distributed and expended for said purposes herein enumerated as, in the judgment of the Commissioner of Public Roads, may be best for the efficient operation of his Department and the carrying on of its activities; but not more than $50,000 of said $250,000 shall be expended for salaries and expenses of the central office, including salary and expenses of Commissioner of Roads. All of the fund appropriated by this section, exclusive of said $250,000, shall be used exclusively by said Department for the construction of public roads, as now provided by law or as may hereafter be provided by law.

§ 18. There is hereby appropriated out of the funds and from the sources hereinafter named, for the benefit of the Eastern Kentucky State Normal School for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the construction of dormitories, to be paid out of the general expenditure fund, $75,000.

(b) For the purpose of paying the salaries, traveling expenses, printing, stamps, supplies and all other expenses of maintenance and operation of said institution for said fiscal year, there is hereby appropriated and set aside all of the tax now set aside by law for the benefit of said institution, to-wit, five-eighths of one cent on each one hundred dollars of taxable property of the Commonwealth, and any other or additional levy that may be made for that purpose.

§ 19. There is hereby appropriated and set aside from the funds and sources hereinafter named, for the benefit of the Eastern Kentucky State Normal School for the fiscal year ending June 30, 1921, the following amounts for the following purposes:

(a) For the construction of dormitories, same to be paid out of the general expenditure fund, $75,000.

(b) For the purpose of paying the salaries, traveling expenses, cost of printing, stamps, supplies and all other cost of operation and maintenance of said institution, there is

hereby set aside and appropriated for the benefit of the Western Kentucky State Normal School for the fiscal year ending June 30, 1921, the tax now imposed by law for the benefit of said institution, to-wit: five-eighths of one cent on each one hundred dollars of taxable property in the Commonwealth, and any other sum that may hereafter by law be set aside or levied for the benefit of said institution.

§ 20. There is hereby appropriated out of the general expenditure fund, for the Executive Department of the State Government for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For salary of Governor, private secretary, stenographic help and other employees, $12,070.

(b) Contingent fund now allowed by law, $3,000.

(c) For printing, stamps, office supplies, maintenance and operation of the department, $1,900.

§ 21. For the purpose of administering the department conducted by the State Fire Marshal, as now provided by law and for the purpose of paying the salaries, including clerical help and all other expenses incident to the maintenance and operation of said Department now allowed by law, for the fiscal year ending June 30, 1921, there is hereby set aside and appropriated to the use of said State Fire Marshal's Department all of the fire tax fund now collected of the insurance companies of this State, or that may hereafter be allowed to be collected by the laws of this State for the benefit of said Department. In event said Department shall be transferred to or consolidated with any other department, the appropriation herein made and the fees now allowed by law to be collected for the benefit of the State Fire Marshal's Department, or that may hereafter be allowed by law, shall be for the benefit of the Department as transferred or consolidated, and the right to collect same shall remain in full force and effect, for the benefit of the Department to which same may be transferred, or with which same may be consolidated.

§ 22. For the fiscal year ending June 30, 1921, there is hereby set aside and appropriated for the benefit of the Game and Fish Commission, to be expended by it for the purposes

now allowed by law, or that may hereafter be allowed by law, all the fees and collections of all kinds and character now collected by law, or that may hereafter be imposed by law, for the benefit of said Department.

§ 23. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky State Historical Society for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the purpose of paying salaries of all officers and employees and all other expenses incident to the maintenance and operation and conduct of said Department, $3,000.

§ 24. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Home for Incurables for the fiscal year ending June 30, 1921, to be used and expended by it as now provided by law or as may hereafter be provided by law, the sum of $10,000.

The annual report and settlement now required by law to be made by the officers of said Home for Incurables to the Auditor of Public Accounts shall be made of this appropriation in the same manner as now required by law.

§ 25. There is hereby set aside and appropriated to the use of the Insurance Department, for the fiscal year ending June 30, 1921, for the payment of salaries and all other expenses of maintenance and operation of said Department, as now provided by law or as may hereafter be provided by law, all the fees and collections to which said Department is now entitled by law, or which it may hereafter be entitled to by law.

§ 26. For the purpose of paying all the salaries and other expenses in the maintenance and operation of the Insurance Rating Board, as now provided by law or as may hereafter be provided by law, for the fiscal year ending June 30, 1921, there is hereby set aside and appropriated all sums collected by said Department for its benefit from the insurance companies, as now provided by law, or as may hereafter be provided by law.

§ 27. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky

Children's Home Society for White Children, for the fiscal year ending June 30, 1921, for the purpose of paying all salaries and every other expense incident to the operation and maintenance of said Department, as now provided by law or as may hereafter be provided by law, the sum of $50,000.

§ 28. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky Home Society for Colored Children, for the fiscal year ending June 30, 1921, for the purpose now authorized by law, or for such other purposes as may be hereafter provided by law, the sum of $10,000.

§ 29. There is hereby appropriated out of the general expenditure fund for the use and benefit of the Kentucky Normal and Industrial Institute for Colored Persons, for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the payment of all salaries and all other expenses incident to the maintenance and operation of said Department, as now provided by law or as may hereafter be provided by law, $21,000.

(b) For permanent improvements, repairs and equipment, $25,000.

§ 30. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky Library Commission for the fiscal year ending June 30, 1921, to be expended by it for the purposes now allowed by law, or that may hereafter be allowed by law, the sum of $7,500.

§ 31. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Lieutenant Governor for the fiscal year ending June 30, 1921, for the purpose of paying salary and other expenses allowed to said officer by law, or that may hereafter be allowed by law, the sum of $400.

§ 32. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Railroad Commission for the fiscal year ending June 30, 1921, for the purpose of paying all salaries, traveling expenses, printing, stamps, office supplies and all other expenses incident to the

operation and maintenance of said Department, the sum of $21,250.

§ 33. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky Institute for the Education of the Blind, for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the salary of the superintendent and for all other expenses incident to the operation and maintenance of the White Department of said institution, as now provided by law or as may hereafter be provided by law, $40,000.

(b) For all expenses incident to the operation and maintenance of the Colored Department of said institution, as now provided by law or as may hereafter be provided by law, $6,500.

(c) For the education and vocational training of the Adult Blind of Kentucky, to be expended in the manner and for the purposes now provided by law or as may hereafter be provided by law, $14,000.

§ 34. There is hereby appropriated out of the general expenditure fund, for the benefit of the Kentucky School for the Deaf, for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For the payment of salaries and all other expenses incident to the maintenance and operation of the Department for White Children, $90,000.

(b) For salaries and all expenses incident to the operation and maintenance of the Department for Colored Children, $8,500.

The appropriations herein provided for under this section shall be in lieu of any per capita allowance per pupil heretofore allowed by the State.

§ 35. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Department of Secretary of State for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For all salaries, including clerical help and porter, $15,300.

(b) For all other expenses incident to the operation and maintenance of said Department, including printing, stamps and office supplies, $3,000.

§ 36. There is hereby appropriated for the use and benefit of the Department of the State Inspector and Examiner, for the fiscal year ending June 30, 1921, for the purpose of paying all salaries, traveling expenses, printing, stamps, office supplies and all other expenses incident to the maintenance and operation of said Department, the sum of $15,850.

§ 37. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Librarian for the fiscal year ending June 30, 1921, for the purpose of paying all salaries, printing, books, stamps, office supplies and other costs incident to the operation and maintenance of said Department, as now provided by law or as may hereafter be provided by law, the sum of $9,500.

There is not included and shall not be paid out of this appropriation, however, the cost of printing the Acts of the General Assembly for the 1920 Session and the House and Senate Journal for said Session, the cost of which shall be charged to the expense of the Legislative Department and shall be paid as now provided by law for the payment of same.

§ 38. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Live Stock Sanitary Board for the fiscal year ending June 30, 1921, for the purpose of paying all salaries, traveling expenses, printing, stamps, supplies and all other expenses incident to the maintenance and operation of said Department, as now provided by law or as may hereafter be provided by law, the sum of $28,000.

§ 39. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Racing Commission for the fiscal year ending June 30, 1921, for the purpose of paying the salary of the Secretary of same, the sum of $1,200.

§ 40. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Superintendent of Public Printing for the fiscal year ending June 30, 1921, the following sums for the following purposes:

(a) For all salaries and clerical help now allowed by law or that may hereafter be allowed by law, $1,500.

(b) For traveling expenses, $350.

(c) For printing, stamps and office supplies, $400.

§ 41. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Tax Commission for the fiscal year ending June 30, 1921, for the purpose of paying all salaries, including clerical help, traveling expenses, printing, stamps, office supplies and other expenses incident to the operation and maintenance of said Department, as now allowed by law, or as may hereafter be allowed by law, the sum of $80,000.

§ 42. For the use and benefit of the State Board of Examiners of Trained Nurses, for the fiscal year ending June 30, 1921, there is hereby appropriated and set aside for the purpose of paying all costs of maintenance and operation of said Board, all the fees and other collections collected for the use and benefit of said Board, as now provided by law or as may hereafter be provided by law.

§ 43. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Treasurer's Department for the fiscal year ending June 30, 1921, for the purpose of paying all salaries, clerical help, printing, stamps, supplies and all other expenses incident to the maintenance and operation of said Department, now authorized by law or that may hereafter be authorized by law, the sum of $13,250.

§ 44. There is hereby appropriated for the use and benefit of the Vocational Educational Board of Kentucky, for the fiscal year ending June 30, 1921, the following sums out of the following named funds and sources and for the following named purposes:

(a) For the purpose of carrying on Teacher Training Instruction in the State of Kentucky, under the provisions of Chapter VII of the Acts of 1918, there is hereby appropriated out of the general expenditure fund, $24,987.

(b) For the purpose of paying all the costs of inspection and supervision of the courses in Teacher Training under the

provisions of said Chapter VII of the Acts of 1918, there is appropriated out of the general expenditure fund, $2,500.

§ 45. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the West Kentucky Industrial College for Colored Persons, for the fiscal year ending June 30, 1921, to be expended by it for salaries, cost of maintenance and operation, in the manner now authorized by law or as may hereafter be authorized by law, the following sums for the following purposes:

(a) For the payment of salaries and other costs of maintenance and operation, $3,000.

(b) For permanent improvements, $5,000.

§ 46. There is hereby appropriated and set aside out of the funds and from the sources hereinafter designated, for the use and benefit of the University of Kentucky for the fiscal year ending June 30, 1921, the following sums from the following funds and sources and for the following purposes:

(a) For the purpose of paying salaries and all other expenses of maintenance and operation of the Division of Colleges of the University of Kentucky, in the manner now authorized by law or as may hereafter be authorized by law, there is set aside and appropriated all the tax of one and three-fourths cents on each one hundred dollars of taxable property in the Commonwealth, as now allowed and authorized by law.

(b) For the purpose of paying for the costs of maintenance and operation of the Experiment Station of University of Kentucky for said fiscal year, as now authorized by law or as may hereafter be authorized by law, there is appropriated out of the general expenditure fund the sum of $50,000.

(c) For the purpose of paying all the costs of the maintenance and operation of the Extension Division of the University of Kentucky for the said fiscal year, in the manner now authorized by law or as may hereafter be authorized by law, there is hereby appropriated out of the general expenditure fund the sum of $108,958.

(d) For buying engineering equipment, same to be paid for out of the general expenditure fund, $30,000.

(e) For agricultural extension, same to be paid for out of the general expenditure fund, $30,000.

(f) For the construction of a dormitory for the Division of Colleges, same to be paid out of the general expenditure fund, $75,000.

§ 47. For the use and benefit of the Workmen's Compensation Board, for the fiscal year ending June 30, 1921, for the purpose of paying all the salaries, traveling expenses, printing, stamps, supplies and all other expenses of the operation and maintenance of said Board, as now provided by law or as may hereafter be provided by law, there is hereby set aside and appropriated all the funds now collected by law, or that may hereafter be collected by law, for the benefit of said Workmen's Compensation Board.

§ 48. There is hereby appropriated and set aside to the use of the Sinking Fund Commissioners for the fiscal year ending June 30, 1921, the tax now allowed by law of one cent on each one hundred dollars of taxable property in the Commonwealth, to be used by said Commissioners for the purposes now authorized by law, or that may hereafter be authorized by law.

§ 49. For the purpose of paying for the farm known as the "Mastin Place," consisting of four hundred and sixty-five (465) acres, an option for the purchase of which was taken by the State Board of Control of Kentucky from Mrs. G. H. Mastin on the 21st day of January, 1919, by contract of that date, at an agreed price of fifty-nine thousand dollars, said farm to be used for the benefit of the pauper idiots of the State, under the provisions of Chapter LIV of the Acts of 1918, there is hereby appropriated out of the general expenditure fund for the fiscal year ending June 30, 1921, the sum of $59,000.

§ 50. There is hereby appropriated and set aside out of the general expenditure fund for the fiscal year ending June 30, 1921, for the purpose of contributing to the compensation of Visiting County Nurses, under the provisions of Section 4 of Chapter LI of the Acts of 1918, the sum of $10,000. Said sum to be paid out only in the manner and for the purposes set out in said Chapter LI of the Acts of 1918.

§ 51. In order to meet and provide for the payment, for the fiscal year ending June 30, 1921, of the sums necessary to pay the costs of suits, attorneys' fees, conveyance of lunatics to the various asylums for the insane, commissions on fines and forfeitures, compensation for County Tax Commissioners, as now provided by law, costs of criminal prosecutions, amounts due the various clerks of the Commonwealth for their services and authorized to be paid out of the State Treasury, cost and distribution of public books, express charges not otherwise provided for in this act; the cost of the care of graves in the Frankfort Cemetery, as allowed by law, the yearly allowances made to idiots by the various Circuit Courts of the Commonwealth, interest on outstanding warrants or on warrants that may hereafter be issued, the per diem compensation of the Jury Commissioners of the various counties of the Commonwealth, the per centum of Jefferson County fees refunded to the various officers of Jefferson County, as now authorized by law or as may hereafter be authorized by law, the sums allowed by law for the Law Library of the Commonwealth, to cover all moneys that may be required to be refunded as now provided by law, or may hereafter be provided by law, the cost of public books, including record books, compensation of the various County Boards of Supervisors, any and all rewards authorized by law, and any and all exonerations allowed to the sheriff by law, any and all amounts authorized by law to be paid to the Trustee of the Jury Fund of the various counties of the Commonwealth, and any other general expenditures now allowed by law and payable out of the general expenditure fund of the Commonwealth, the Auditor is authorized and directed to draw his warrant for the amount due, and the Treasurer is authorized to pay the same, in the manner now authorized by law for the payment of such claims. For the purpose of paying all costs of operation of the Legislative Department of the State Government and of the Judicial Department of the State Government the common school system and salaries of Commonwealth's Attorneys, for the fiscal year ending June 30, 1922, and not specifically provided for in this act, the Auditor of Public Accounts is authorized and directed to draw his war-

rant and the Treasurer to pay same in the manner now provided by law for the payment of such claims.

§ 52. There is hereby appropriated to the State Printing Commission, for the purpose of paying for the necessary paper for use in State printing, for the fiscal year ending June 30, 1921, in the manner now provided by law, the sum of $80,500.

§ 53. Each section of this act appropriating money is designed to be a separate and distinct appropriation, and, in event any appropriation made is held to be unauthorized by law, it shall in no wise affect the other appropriations provided for in this act.

Mr. Stults, of the Committee on Appropriations, offered amendment No. 1, as follows:

Amend House Bill No. 434 by striking from line 2 of Section 33 on page 12, of printed bill, the words "Kentucky Institution for the Education of the Blind," and inserting in lieu thereof the words "Kentucky School for the Blind."

Amend Sub-section (2) of Section 33 by striking from line 9 thereof on page 13, of printed bill, the figures $40,000, and inserting in lieu thereof $45,000.

Said amendment was agreed to.

By same, amendment No. 2, which reads as follows:

Amend House Bill 434 in line 9, in Section 33 by eliminating the figures $40,000 and inserting in lieu thereof the figures $45,000.

Said amendment was agreed to.

By same, amendment No. 3, which reads as follows:

Amend House Bill 434 in line 6, of Section 27 by eliminating therefrom the figures $50,000 and inserting in lieu thereof the figures $55,000.

Said amendment was agreed to.

By same, amendment No. 4, which reads as follows:

Amend House Bill 434 in line 5, of Section 28, by eliminating the figures $10,000 and inserting in lieu thereof the figures $15,000.

Said amendment was agreed to.

By same, amendment No. 5, which reads as follows:

Amend House Bill 434 in line 7, of Section 34 by eliminating the figures $90,000 and adding in lieu thereof the figures $95,000.

Said amendment was agreed to.

By same, amendment No. 5-A, as follows:

Amend Section 23, line 7, by striking out the figures $3,000 and inserting in lieu thereof the figures $5,000.

Said amendment was agreed to.

Mr. Kelly moved that House Bill 434 be considered by sections.

Said motion was lost.

Mr. Myers offered amendment No. 6, as follows:

Amend House Bill 434, page 12, Section 29-A, in line 8, by striking out $21,000 and insert in lieu thereof $25,000, and further amend in line 9, Section b, page 12, by striking out $25,000 and insert in lieu thereof $21,000.

Said amendment was agreed to.

Mr. Hamilton offered amendment No. 7, which reads as follows:

On page 17, line 24, remove the word "extension" and insert the word "instruction;" makes reading "for agricultural instruction."

Said amendment was agreed to.

Mr. Murphy offered amendment No. 8, which is as follows:

Amend House Bill 434 by striking out in Section 7, in line 10, the word "salaries."

Said amendment was disagreed to.

Mr. Murphy offered amendment No. 9, as follows:

Amend House Bill 434 by striking out "one dollar" in Section 5, line 4, after the word "exceeding" and before the word "for," and inserting in lieu thereof the words "sixty-five cents."

This amendment was disagreed to.

Mr. Duffy offered amendment No. 10, as follows:

Amend Section 41, line 7, by striking out $80,000 and inserting $60,000.

Said amendment was disagreed to.

Mr. Duffy offered amendment No. 11, as follows:

Amend Section 9, Sub-section a, line 7, by striking out the figures $76,300 and inserting the figures $50,000.

Mr. Vance moved the previous question.

The Speaker stated "Shall the main question now be ordered?"

Said question was decided in the affirmative.

Mr. Bryson moved that today's session be extended indefinitely.

Said motion was agreed to.

Then Messrs. Duffy and Murphy demanded a roll-call on amendment No. 11.

The yeas and nays being taken thereon resulted as follows:

Those who voted in the affirmative were:

Lon Adams	J. M. Knott	Chas. R. Scott
L. H. Ballard	Elmer Lusby	T. R. Stultz
H. C. Duffy	Lee Rogers	Dr. T. R. Welch
D. J. Howard		—10

Those who voted in the negative were:

Sidney Alfrey	Griffin Kelly	S. G. Smith
H. H. Barnes	Dr. S. D. Laughlin	Wm. A. Stewart
S. M. Bennett	Hebron Lawrence	John T. E. Stites
Rodney G. Bryson	Joseph Lazarus	John W. Swope
Roy J. Cain	R. C. Marcum	John B. Thomas
W. T. Carner	I. S. Mason	J. Mack Thompson
J. F. Carr	A. J. McCandless	J. H. Thompson
Charles M. Ciarlo	R. L. McFarron	C. B. Truesdell
A. S. Cooper	Harry J. Meyers	John L. Trumbo
B. L. Cox	Mack J. Morgan	J. Wood Vance
J. S. Cruse	John T. Murphy	Daniel Vose
H. N. Dean	Chas. A. Nelson	Geo. C. Waggoner
J. B. Denues	T. C. Pryse	A. M. Wash
Dr. T. H. Gamblin	B. F. Reynolds	J. S. Webb

B. J. Geohringer	J. L. Richardson	Gladstone Wesley
A. L. Hamilton	Sherman Robbins	W. G. Wheeler
A. F. Hanberry	B. A. Roth	V. M. Williamson
Dr. W. L. Haynes	Dr. Lewis Ryans	W. N. Winn
A. R. Hudson	W. P. Scott	Dr. W. S. Yazell
Adam W. Huff	E. E. Shannon	—61
Henry Kaufman	Dr. B. F. Shields	

So amendment No. 11 was lost.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed, as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	W. P. Scott
Sidney Alfrey	Robt. Humphreys	E. E. Shannon
L. H. Ballard	Henry Kaufman	Dr. B. F. Shields
H. H. Barnes	Griffin Kelly	S. G. Smith
S. M. Bennett	J. M. Knott	Wm. A. Stewart
Rodney G. Bryson	Dr. S. D. Laughlin	John T. E. Stites
Roy J. Cain	Hebron Lawrence	T. R. Stultz
W. T. Carner	Joseph Lazarus	John W. Swope
J. F. Carr	Rev. J. A. Lee	John B. Thomas
T. L. Caudel	Elmer Lusby	J. Mack Thompson
Charles M. Ciarlo	R. C. Marcum	J. H. Thompson
A. S. Cooper	I. S. Mason	C. B. Truesdell
B. L. Cox	A. J. McCandless	John L. Trumbo

J. S. Cruse	R. L. McFarron	J. Wood Vance
P. A. Day	Harry J. Meyers	Fred C. Vanhoose
H. N. Dean	Mack J. Morgan	Daniel Vose
J. B. Denues	John T. Murphy	Geo. C. Waggoner
H. C. Duffy	Chas. A. Nelson	A. M. Wash
B. J. Geohringer	T. C. Pryse	J. S. Webb
J. W. Geveden	B. F. Reynolds	Dr. T. R. Welch
Dr. W. L. Gossett	J. L. Richardson	Gladstone Wesley
A. F. Hanberry	Sherman Robbins	V. M. Williamson
Dr. W. L. Haynes	B. A. Roth	W. N. Winn
D. J. Howard	Dr. Lewis Ryans	Dr. W. S. Yazell
A. R. Hudson	Chas. R. Scott	—74

Resolved, That the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate, announcing that that body had passed the following bills:

Senate Bill No. 160, entitled: An Act to amend Section 334 of the Civil Code of Practice, Sixth Edition, 1919, edited by Hon. John D. Carroll.

Also Senate Bill No. 199, entitled: An Act authorizing consolidated school districts and county boards of education to issue bonds for the purpose of providing funds for purchasing grounds and constructing buildings for school purposes.

Ordered, that said two bills be printed and referred to the Committee on Rules.

Also that the Senate had passed House Bill No. 123, with sundry amendments.

Also that the Senate had passed House Bill No. 227, with sundry amendments.

Mr. Bryson moved that the House do now recess until 1:30 P. M.

Said motion was agreed to.

Then the House, at 12:20 P. M., recessed until 1:30 P. M.

AFTERNOON SESSION

The House reconvened at 1:30 P. M.

The following bills, passed by the House, were sent to the Senate:

House Bills Nos. 86 and 59.

Also, Senate Bill No. 21 was returned to the Senate with a message announcing that the House had receded from House amendment No. 11.

Mr. Lazarus moved that the House take up for consideration the amendment proposed by the Senate to House Bill No. 227.

Said amendment, by way of substitute, is as follows:

An Act relating to the State Board of Health, further defining and regulating the practice of the healing art and of optometry and of all other limited systems of practice in this State; relating to applications, examinations and certificates and to fees therefor; and providing for representation in such examinations of the various schools and systems of diagnosing and treating human ailments, and of optometry, and providing penalties.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Board of Health shall, upon application of the Kentucky Association of Optometrists, in respect to the practice of optometry, and of any State association composed of practictioners of any drugless or limited school or system diagnosing or treating human ailments, defects or deformities, now in existence or which may hereafter be devised, legally chartered under the laws of this Commonwealth, from a list of seven of its members selected and certified to said board by such association as persons of good moral character and graduates of a reputable college of such system of practice, appoint three assistant examiners for each such school or system to represent each of said groups in the examination of its applicants by preparing all questions and grading all papers involving methods or principles of diagnosis, treatment, adjustment, cure or relief of patients and by the assistant examiners in optometry in the practice of optometry, and who may be present at any meeting when such grades are considered, which grades shall be accepted by the board and considered with the grades made in anatomy, physiology and pathology prescribed and required by the board to test the qualifications of applicants from all schools or systems to practice with safety to the sick and afflicted, and the board shall issue certificates to all applicants who make the grades required by existing law, provided that applicants may be examined in all subjects in which they have been trained and may practice the branches in which they are found qualified. The board shall have authority to hold separate examinations for the different schools, or systems of practice, or groups of them or for optometrists, as it may deem best, and may, in so far as in its judgment may be consistent with the safety of the sick and afflicted, limit the examination in anatomy, physiology, pathology and other subjects to special regions or parts of the body, and in its certificates it shall limit the treatment and work of such applicants to the method of practice in which they have been trained and found qualified. All examinations shall be secret

and in all matters as to standards of education or reputability and as to questions and grades shall be governed and conducted as provided by law and by rules and regulations of the board not inconsistent therewith.

§ 2. That applicants may present their credentials by mail or proxy upon forms furnished by the board. All certificates shall be signed by the president and secretary and attested by the seal of the board. The fee for each certificate, including the examination, shall not exceed the sum of twenty-five dollars, which is hereby fixed as the fee to be paid by all applicants, and all of such fees shall be paid into the State treasury and kept as a separate fund and used for paying the expenses of the administration and enforcement of this act and of Chapter LXXXV, Kentucky Statutes, and shall be accounted for as required by law for other funds and expenses of the board.

§ 3. That any person who was reputably engaged in the practice of anesthesia, chiropractics, chiropody, or other systems of drugless healing, or optometry, or any other limited system or special branch of practice in this Commonwealth on or before January 1, 1920, who is endorsed as competent and reputable by the assistant examiners for the school or system which he professes to practice, or in respect to an optometrist by the assistant examiners in optometry, and who makes application to the board within ninety days after this Act goes into effect, accompanied by the fee, shall receive a certificate without examination. All certificates issued under the provisions of law by the State Board of Health when registered in the office of the County Clerk of the county in which the holder of such certificate resides, shall authorize the holder to practice the system of healing named in such certificate, subject to all of the conditions imposed upon the holders of all certificates heretofore issued, or hereafter to be issued under the law.

§ 4. That any person living in this State who may hereafter come into this State who administers anesthetics or practices or attempts to practice any system of diagnosis or healing now in existence or which may hereafter be devised, or who corrects defects of the eye or other parts of the human

body by mechanical or any other means, except upon the prescription of a legally qualified physician, or in any way performs the duties usually performed by physicians, without having complied with the provisions of law, or who opens an office for such purpose or announces to the public a readiness to so practice, shall, upon conviction, be subject to all of the penalties provided in Section 2618, Chapter LXXXV, of the Kentucky Statutes; provided this Act shall not apply to persons who sell trusses, spectacles, eyeglasses, or lenses only as merchandise in a duly established mercantile establishment; provided further, that this Act shall not apply to the practice of Christian Science; provided further that this Act shall not apply to the practice of dentistry.

Said amendment by way of substitute was agreed to.

Then the question was taken upon the passage of the bill as amended by said substitute.

The yeas and nays being taken thereon resulted as follows:

Those who voted in the affirmative were:

Lon Adams	Griffin Kelly	E. E. Shannon
L. H. Ballard	J. M. Knott	Dr. B. F. Shields
H. H. Barnes	Dr. S. D. Laughlin	S. G. Smith
Rodney G. Bryson	Hebron Lawrence	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	John T. E. Stites
W. T. Carner	Rev. J. A. Lee	John W. Swope
J. F. Carr	Elmer Lusby	J. Mack Thompson
T. L. Caudel	I. S. Mason	C. B. Truesdell
B. L. Cox	A. J. McCandless	John L. Trumbo
J. S. Cruse	R. L. McFarron	J. Wood Vance
B. J. Geohringer	H. C. McLellen	Geo. C. Waggoner
Dr. W. L. Gossett	Mack J. Morgan	A. M. Wash
A. L. Hamilton	Chas. A. Nelson	J. S. Webb
A. F. Hanberry	T. C. Pryse	Dr. T. R. Welch
Talbert Holliday	J. L. Richardson	Gladstone Wesley

D. J. Howard	Sherman Robbins	W. G. Wheeler
A. R. Hudson	Lee Rogers	W. N. Winn
Adam W. Huff	B. A. Roth	Dr. W. S. Yazell
Robt. Humphreys	Dr. Lewis Ryans	—58
Henry Kaufman	Chas. R. Scott	

Those who voted in the negative were:

J. W. Johnson	Daniel Vose	—2

So said bill, as amended by the substitute, was passed.

Resolved, That the title thereof be as amended by the substitute.

Mr. Lazarus moved that the vote by which the bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus moved that the House take up for consideration the amendments proposed by the Senate to House Bill No. 123.

Said motion was agreed to.

Amendment No. 1 proposed by the Senate, reads as follows:

Amend House Bill 123 by striking out of the list of Fifth Class cities and towns, "West Covington, Kenton County."

Said amendment was concurred in.

Amendment No. 2 reads as follows:

Amend House Bill 123 by adding after the words "be amended," on page one, line two of printed bill the following

words "by striking from the cities of the fourth class the words 'Corbin, Whitley and Knox County' and adding after the words 'Maysville, Mason County' in cities of the third class the words 'Corbin, Whitley and Knox County, and.' "

Said amendment was concurred in.

Amendment No. 3 reads as follows:

Amend House Bill 123 by adding after the words "Olive Hill, Carter County" on page one, line four of printed bill the words "Irvine, Estill County, and Marion, Crittenden County."

Said amendment was concurred in.

Amendment No. 4 reads as follows:

Amend House Bill 123 by adding after the words "Perryville, Boyle County," in cities of the fifth class, on page 3, line 55, of printed bill the words "Wilmore, Jessamine County, and Greenup, Greenup County."

Said amendment was concurred in.

Amendment No. 5 reads as follows:

Amend House Bill 123 by adding after the word "county" in line 7, page 1 of printed bill the following: "and by inserting in cities of the fifth class, after the words 'Helier, Pike County,' the additional words, 'Perryville, Boyle County, and Wilmore, Jessamine County, and Greenup, Greenup County.' "

Said amendment was concurred in.

Amendment No. 6 reads as follows:

That amendment No. 3 of House Bill 123 be amended by adding after the words "Irvine, Estill County," the words "Clifton, Campbell County."

Said amendment was concurred in.

Amendment No. 7 reads as follows:

That House Bill 123 be amended by striking from the cities of the fifth class, on page 3, line 53 of printed bill the words "Clifton, Campbell County" and inserting in lieu thereof after the words "Irvine, Estill County" in cities of the fourth class on page 2, line 33 of printed bill the words "Clifton, Campbell County" and "Marion, Crittenden County."

Said amendment was concurred in.

Then the question was taken on said bill as amended as aforesaid.

The yeas and nays being taken thereon resulted as follows:

Those who voted in the affirmative were:

Lon Adams	Griffin Kelly	E. E. Shannon
L. H. Ballard	J. M. Knott	Dr. B. F. Shields
H. H. Barnes	Dr. S. D. Laughlin	S. G. Smith
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
J. F. Carr	Joseph Lazarus	John T. E. Stites
T. L. Caudel	Rev. J. A. Lee	John W. Swope
Charles M. Ciarlo	Elmer Lusby	John B. Thomas
B. L. Cox	A. J. McCandless	J. Mack Thompson
J. S. Cruse	R. L. McFarron	C. B. Truesdell
P. A. Day	Mack J. Morgan	John L. Trumbo
J. B. Denues	John T. Murphy	J. Wood Vance
B. J. Geohringer	Chas. A. Nelson	Fred C. Vanhoose
Dr. W. L. Gossett	T. C. Pryse	Daniel Vose

A. F. Hanberry	J. L. Richardson	Geo. C. Waggoner
Dr. W. L. Haynes	Sherman Robbins	J. S. Webb
A. R. Hudson	Lee Rogers	Dr. T. R. Welch
Robt. Humphreys	B. A. Roth	Gladstone Wesley
J. W. Johnson	Dr. Lewis Ryans	W. N. Winn
Henry Kaufman	Chas. R. Scott	Dr. W. S. Yazell

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So said bill as amended was adopted.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, moved that the House take up for consideration House Bill No. 435.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 435, entitled:

Said bill reads as follows:

An Act appropriating money for the operation and maintenance of the various Departments, Boards, Commissions, Institutions and Agencies of the State Government, except for the Legislative and Judicial Departments and except for the common schools, for the fiscal year ending June 30, 1922, and appropriating money for making permanent repairs and improvements for the benefit of said Departments, Boards, Commissions, Institutions and Agencies; designating the funds and sources from which said appropriations are to be paid, and prescribing the manner in which same are to be paid.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for the purpose of providing the necessary funds for the payment of salaries, cost of maintenance, operation and permanent improvements of each of the Departments, Boards, Commissions, Institutions and Agencies of the State Government named in this act, for the fiscal year ending June 30, 1922, there is hereby appropriated out of the fund or funds specified herein the various amounts herein shown.

§ 2. Adjutant General. Out of the general expenditure fund produced by the annual levy of fifteen cents, as now provided by law, there is hereby appropriated for the benefit of the Adjutant General's Department of the State for use for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the payment of salaries and clerical hire, $12,000.

(b) For the payment of traveling expenses, maintenance and operation, supplies and repairs, including printing and postage necessary for the use of said Department, $15,000.

(c) As an emergency fund for the use of said Department, same to be expended only when an emergency exists and upon the order and with the approval of the Governor of the Commonwealth, $20,000.

§ 3. Attorney General. There is hereby appropriated out of the general expenditure fund, for the use of the Attorney General's Department of the Commonwealth of Kentucky for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For salaries of the Attorney General, First, Second, and Third Assistant Attorneys General and Law Clerk, $14,900.

(b) For all stenographic help, the salaries to be determined by the Attorney General, $3,900.

(c) For necessary traveling expenses of the Department when engaged in the State's business, printing, stamps and office supplies, $1,250.

§ 4. Auditor of Public Accounts. There is hereby appropriated out of the general expenditure fund for the use of the Department of the Auditor of Public Accounts of the Commonwealth of Kentucky, for the fiscal year ending June 30, 1922, as hereinafter set out, the following sums for the following purposes:

(a) For salaries and clerical hire, $35,000.

(b) For printing, stamps and office supplies, $4,000.

§ 5. Department of Motor Vehicles. There is hereby appropriated out of the sums realized from licenses on motor vehicles, for the benefit of the Department of Motor Vehicles of the Commonwealth of Kentucky, for the fiscal year ending June 30, 1922, not exceeding one dollar for each motor vehicle registered under the provisions of the law regulating the registration of motor vehicles in the Commonwealth of Kentucky, same to be used for the payment of salaries, clerical hire, traveling expenses, printing, stamps, office supplies and license tags.

§ 6. Department of Banking. For the purpose of paying expenses of the Department of Banking of the Commonwealth of Kentucky for the fiscal year ending June 30, 1922, there is hereby appropriated and ordered to be paid out of the fees realized from an examination of sundry banks and building and loan associations, as provided by law, the following sums for the following purposes:

(a) For the purpose of paying salaries, clerical help, traveling expenses, printing, stamps and office supplies, $35,000.

§ 7. State Board of Control. There is hereby appropriated out of the general expenditure fund for the use of the State Board of Control having charge of the charitable, correctional and penal institutions of the Commonwealth, for the necessary expenditures for the fiscal year ending June 30, 1922, the following amounts for the following purposes:

(a) For the purpose of paying the salaries, clerical hire, traveling expenses, printing, stamps and necessary supplies for said Board of Control, and the cost of operation, maintenance, improvements, repairs and all operating expenses for the fiscal year ending June 30, 1922, for the State Reforma-

tory at Frankfort, State Penitentiary at Eddyville, Western State Hospital for the Insane at Hopkinsville, Central State Hospital for the Insane at Lakeland, Eastern State Hospital for the Insane at Lexington, Feeble-Minded Institute at Frankfort, and the Houses of Reform, $1,996,688.

§ 8. State Board of Election Commissioners. There is hereby appropriated out of the general expenditure fund, for the benefit of the State Board of Election Commissioners for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For salaries and all clerical hire, $310.

(b) For printing, stamps and necessary supplies, $40.

§ 9. State Board of Health. There is hereby appropriated out of the general expenditure fund, for the use of the State Board of Health for the fiscal year ending June 30, 1922, the following amounts, to be used for the following purposes:

(a) For the purpose of paying salaries, clerical help, traveling expenses, printing, stamps, supplies and all other operating expenses, $76,300.

(b) For the payment to public health laboratories at State Experiment Station, $18,000.

(c) For prevention of venereal diseases, $27,000.

(d) For prevention and treatment of trachoma, $13,700.

§ 10. Department of Agriculture, Labor and Statistics. There is hereby appropriated out of the general expenditure fund, for the use of the Department of Agriculture, Labor and Statistics for the fiscal year ending June 30, 1922, the following amounts for the following purposes:

(a) For the purpose of paying all the salaries and clerical hire for said Department, $11,700.

(b) For the purpose of paying the per diem, traveling expenses and other expenses now allowed by law to the State Board of Agriculture, $2,700.

(c) For the purpose of paying all the expenses of the Department of Labor, under the said State Department of Agriculture, Labor and Statistics, as now allowed by law or as may hereafter be allowed by law, $9,000.

(d) For the purpose of paying all the expenses of the Immigration Branch (free employment) of said Department, as now allowed by law, or as may hereafter be allowed by law, $2,000.

(e) For the purpose of paying for the stationery, printing, office supplies, equipment, telephone and telegraph bills, express, freight and hauling charges and postage of said Department, $4,300.

(f) For the purpose of paying all the expenses for the field work of said Department of Agriculture, Labor and Statistics, now permitted and allowed by law or as may hereafter be authorized by law, $15,000.

(g) For the purpose of defraying the expenses of said Department in collecting statistics, as now allowed by law or as may hereafter be authorized by law, $700.

(h) For the purpose of paying the traveling expenses of the Commissioner of Agriculture, Labor and Statistics, as now authorized by law or as may hereafter be authorized by law, $1,000.

(i) For the purpose of paying special premiums which the said Department is now authorized by law to pay, or which it may hereafter by law be authorized to pay, $4,000.

(j) For the purpose of creating an emergency and cooperative fund for the use of said Department, as now authorized by law or as may hereafter be authorized by law, $4,600.

§ 11. State Board of Agriculture. There is hereby appropriated out of the general expenditure fund, for the use of the State Board of Agriculture, for the Kentucky State Fair, for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For salaries, traveling expenses, maintenance and operation, $10,000.

(b) For premiums for the Kentucky State Fair, $15,000.

(c) For the purpose of meeting other necessary expenses for the conduct of the Kentucky State Fair, including additional premiums, all sums realized by the State Board of Agriculture from the sales of concessions, admissions, advertising, entry fees, stall rents, donations, exhibitors' tickets,

rent of pavilion and grounds, and from pavilion, grand stand and midway show receipts, are hereby appropriated to the State Board of Agriculture, for the use and benefit of the Kentucky State Fair.

§ 12. Confederate Pension Department. There is hereby appropriated out of the general expenditure fund, for the benefit of the Confederate Pension Department for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For salaries, including clerical hire, $4,600.

(b) For the payment of pensions heretofore allowed, or that may hereafter be allowed, $356,000.

(c) For printing, stamps, office supplies and other expenses of operation, $1,900.

§ 13. Kentucky Confederate Home. There is hereby appropriated out of the general expenditure fund, for the benefit of the Kentucky Confederate Home for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the salaries of officers and employees, $14,550.

(b) For all expenses of operation and maintenance, $37,450.

(c) For permanent improvements, furniture and fixtures, $1,000.

§ 14. Custodian of Public Buildings. There is hereby appropriated out of the general expenditure fund, for the benefit of the Custodian of Public Buildings for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For all salaries of Custodian and other employees, $25,000.

(b) For repairs, supplies, permanent improvements of public buildings, and all other maintenance and operating expenses, including printing, stamps and office supplies, $60,000.

No repairs nor improvements shall be made by the Custodian of Public Buildings out of any part of the fund appropriated for said purpose, except upon order and approval of the Board of Sinking Fund Commissioners.

§ 15. Department of Geology and Forestry. There is hereby appropriated out of the general expenditure fund, for the Department of Geology and Forestry for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the payment of all salaries, including clerical help, traveling expenses, printing, stamps, supplies and all other expenses of maintenance and operation of said Department, $25,000.

Should said Department, or any part of same, be abolished or consolidated with other Departments, the appropriation herein provided for shall be null and void and the fund herein appropriated shall remain a part of the general expenditure fund of the State.

§ 16. Department of Mines and Mining. There is hereby appropriated out of the general expenditure fund, for the Department of Mines and Mining for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the payment of salaries and clerical hire, $18,000.

(b) For the payment of traveling expenses allowed by law, $5,000.

(c) For printing, stamps, supplies and other costs of maintenance and operation of the Department, $800.

§ 17. Department of Public Roads. For the purpose of paying all the costs of operation and maintenance of the Department of Public Roads, and for carrying on its activities, for the fiscal year ending June 30, 1922, there is hereby set aside and appropriated to the Department of Public Roads all of the funds now realized from the three-cent ad valorem tax on each one hundred dollars of taxable property in the state imposed by law, or any additional or other ad valorem tax that may be imposed by law, for the exclusive benefit of public roads, and all funds realized from the automobile license tax now collected by law, or that may hereafter be imposed and collected by law for the benefit of said department and its activities. Out of said funds so realized and collected for said fiscal year, there is appropriated and authorized to be

paid, for the purpose of paying the salaries of the Commissioner of Public Roads and of all persons employed in the central office, all salaries of division engineers, all costs of inspection and supervision, and the traveling expense of all persons authorized under the law to draw same, together with all other expenses incurred in the maintenance and operation of said department, exclusive of money actually spent in the construction of roads, the sum of $250,000.

Said sum shall be so distributed and expended for said purposes herein enumerated as, in the judgment of the Commissioner of Public Roads, may be best for the efficient operation of his Department and the carrying on of its activities; but not more than $50,000 of said $250,000 shall be expended for salaries and expenses of the central office, including salary and expenses of Commissioner of Roads. All of the fund appropriated by this section, exclusive of said $250,000, shall be used exclusively by said department for the construction of public roads, as now provided by law or as may hereafter be provided by law.

§ 18. Eastern Kentucky State Normal School. There is hereby appropriated out of the funds and from the sources hereinafter named, for the benefit of the Eastern Kentucky State Normal School for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the construction of dormitories, to be paid out of the general expenditure fund, $75,000.

(b) For the purpose of paying the salaries, traveling expenses, printing, stamps, supplies and all other expenses of maintenance and operation of said institution for said fiscal year, there is hereby appropriated and set aside all of the tax now set aside by law for the benefit of said institution, to-wit, five-eighths of one cent on each one hundred dollars of taxable property of the Commonwealth, and any other or additional levy that may be made for that purpose.

§ 19. Western Kentucky State Normal School. There is hereby appropriated and set aside from the funds and sources hereinafter named, for the benefit of the Western Kentucky State Normal School for the fiscal year ending

June 30, 1922, the following amounts for the following purposes:

(a) For the construction of dormitories, same to be paid out of the general expenditure fund of $75,000.

(b) For the purpose of paying the salaries, traveling expenses, cost of printing, stamps, supplies and all other costs of operation and maintenance of said institution, there is hereby set aside and appropriated for the benefit of the Western Kentucky State Normal School for the fiscal year ending June 30, 1922, the tax now imposed by law for the benefit of said institution, to-wit: five-eighths of one cent on each one hundred dollars of taxable property in the Commonwealth, and any other sum that may hereafter by law be set aside or levied for the benefit of said institution.

§ 20. Executive Department. There is hereby appropriated out of the general expenditure fund, for the Executive Department of the State Government for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For salary of the Governor, private secretary, stenographic help and other employes, $10,070.

(b) Contingent fund now allowed by law, $5,000.

(c) For printing, stamps, office supplies, maintenance and operation of the department, $1,900.

§ 21. Fire Marshal. For the purpose of administering the department conducted by the State Fire Marshal, as now provided by law, and for the purpose of paying the salaries, including clerical help and all other expenses incident to the maintenance and operation of said department now allowed by law, for the fiscal year ending June 30, 1922, there is hereby set aside and appropriated to the use of said State Fire Marshal's Department all of the fire tax fund now collected of the Insurance Companies of the state, or that may hereafter be allowed to be collected by the laws of this state for the benefit of said department. In event said department shall be transferred to or consolidated with any other department, the appropriation herein made and the fees now allowed by law to be collected for the benefit of the State Fire Marshal's Department, or that may hereafter be allowed by

law, shall be for the benefit of the department as transferred or consolidated, and the right to collect same shall remain in full force and effect, for the benefit of the department to which same may be transferred, or with which same may be consolidated.

§ 22. Game and Fish Commission. For the fiscal year ending June 30, 1922, there is hereby set aside and appropriated for the benefit of the Game and Fish Commission, to be expended by it for the purposes now allowed by law, or that may hereafter be allowed by law, all the fees and collections of all kinds and character now collected by law, or that may hereafter be imposed by law, for the benefit of said department.

§ 23. Kentucky State Historical Society. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky Historical Society, for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the purpose of paying salaries of all officers and employes and all other expenses incident to the maintenance and operation and conduct of said department, $3,000.

§ 24. Home for Incurables. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Home for Incurables for the fiscal year ending June 30, 1922, to be used and expended by it as now provided by law or as may hereafter be provided by law, the sum of $10,000.

The annual report and settlement now required by law to be made by the officers of said Home for Incurables to the Auditor of Public Accounts shall be made of this appropriation in the same manner as now required by law.

§ 25. Insurance Department. There is hereby set aside and appropriated to the use of the Insurance Department, for the fiscal year ending June 30, 1922, for the payment of salaries and all other expenses of maintenance and operation of said department, as now provided by law or as may hereafter be provided by law, all the fees and collections to which said department is now entitled by law, or which it may hereafter be entitled to by law.

§ 26. Insurance Rating Board. For the purpose of paying all the salaries and other expenses in the maintenance and operation of the Insurance Rating Board, as now provided by law or as may hereafter be provided by law, for the fiscal year ending June 30, 1922, there is hereby set aside and appropriated all sums collected by said Department for its benefit from the insurance companies, as now provided by law.

§ 27. Kentucky Children's Home Society for White Children. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky Children's Home Society for White Children, for the fiscal year ending June 30, 1922, for the purpose of paying all salaries and every other expense incident to the operation and maintenance of said department, as now provided by law or as may hereafter be provided by law, the sum of $50,000.

§ 28. Kentucky Home Society for Colored Children. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky Home Society for Colored Children, for the fiscal year ending June 30, 1922, for the purpose now authorized by law, or for such other purposes as may be hereafter provided by law, the sum of $10,000.

§ 29. Kentucky Normal and Industrial Institute for Colored Persons. There is hereby appropriated out of the general expenditure fund for the use and benefit of the Kentucky Normal and Industrial Institute for Colored Persons, for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the payment of all salaries and all other expenses incident to the maintenance and operation of said department, as now provided by law or as may hereafter be provided by law, $21,000.

(b) For permanent improvements, repairs and equipment, $25,000.

§ 30. Kentucky Library Commission. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky Library Commission for the fiscal year ending June 30, 1922, to be expended by it for the

purposes now allowed by law, or that may hereafter be allowed by law, the sum of $7,500.

§ 31. Lieutenant Governor. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Lieutenant Governor for the fiscal year ending June 30, 1922, for the purpose of paying salary and other expenses allowed to said officer by law, or that may hereafter be allowed by law, the sum of $1,400.

§ 32. Railroad Commission. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Railroad Commission for the fiscal year ending June 30, 1922, for the purpose of paying all salaries, traveling expenses, printing, stamps, office supplies and all other expenses incident to the operation and maintenance of said Department, the sum of $21,250.

§ 33. Kentucky Institution for the Education of the Blind. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Kentucky Institution for the Education of the Blind, for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the salary of the superintendent and for all other expenses incident to the operation and maintenance of the White Department of said institution, as now provided by law or as may hereafter be provided by law, $40,000.

(b) For all expenses incident to the operation and maintenance of the Colored Department of said institution, as now provided by law or as may hereafter be provided by law, $6,500.

(c) For the education and vocational training of the Adult Blind of Kentucky, to be expended in the manner and for the purposes now provided by law or as may hereafter be provided by law, $14,000.

§ 34. Kentucky School for the Deaf. There is hereby appropriated out of the general expenditure fund, for the benefit of the Kentucky School for the Deaf for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For the payment of salaries and all other expenses incident to the maintenance and operation of the Department for White Children, $90,000.

(b) For salaries and all expenses incident to the operation and maintenance of the Department for Colored Children, $8,500.

The appropriations herein provided for under this section shall be in lieu of any per capita allowance per pupil heretofore allowed by the State.

§ 35. Secretary of State. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Department of Secretary of State for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For all salaries, including clerical help and porter; $15,300.

(b) For all other expenses incident to the operation and maintenance of said Department, including printing, stamps and office supplies, $3,000.

§ 36. State Inspector and Examiner. There is hereby appropriated for the use and benefit of the Department of the State Inspector and Examiner, for the fiscal year ending June 30, 1922, for the purpose of paying all salaries, traveling expenses, printing, stamps, office supplies and all other expenses incident to the maintenance and operation of said Department, the sum of $15,850.

§ 37. State Librarian. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Librarian, for the fiscal year ending June 30, 1922, for the purpose of paying all salaries, printing, books, stamps, office supplies and other costs incident to the operation and maintenance of said Department, as now provided by law or as may hereafter be provided by law, the sum of $9,500.

There is not included and shall not be paid out of this appropriation, however, the cost of printing Act of the General Assembly for the 1920 Session and the House and Senate Journal for said Session, the cost of which shall be charged

to the expense of the Legislative Department and shall be paid as now provided by law for the payment of same.

§ 38. State Live Stock Sanitary Board. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Live Stock Sanitary Board for the fiscal year ending June 30, 1922, for the purpose of paying all salaries, traveling expenses, printing, stamps, supplies and all other expenses incident to the maintenance and operation of said Department, as now provided by law or as may hereafter be provided by law, the sum of $28,000.

§ 39. State Racing Commission. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Racing Commission for the fiscal year ending June 30, 1922, for the purpose of paying the salary of the secretary of same, the sum of $1,200.

§ 40. Superintendent of Public Printing. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the Superintendent of Public Printing, for the fiscal year ending June 30, 1922, the following sums for the following purposes:

(a) For all salaries and clerical help now allowed by law or that may hereafter be allowed by law, $1,500.

(b) For traveling expenses, $350.

(c) For printing, stamps and office supplies, $400.

§ 41. State Tax Commission. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Tax Commission for the fiscal year ending June 30, 1922, for the purpose of paying all salaries, including clerical help, traveling expenses, printing, stamps, office supplies and other expenses incident to the operation and maintenance of said Department, as now allowed by law, or as may hereafter be allowed by law, the sum of $80,000.

§ 42. State Board of Examiners or Trained Nurses. For the use and benefit of the State Board of Examiners of Trained Nurses, for the fiscal year ending June 30, 1922, there is hereby appropriated and set aside for the purpose of paying all costs of maintenance and operation of said Board, all the fees and other collections collected for the use and benefit

of said Board, as now provided by law or as may hereafter be provided by law.

§ 43. State Treasurer. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the State Treasurer's Department for the fiscal year ending June 30, 1922, for the purpose of paying all salaries, clerical help, printing, stamps, supplies and all other expenses incident to the maintenance and operation of said Department, now authorized by law or that may hereafter be authorized by law, the sum of $13,250.

§ 44. Vocational Educational Board. There is hereby appropriated for the use and benefit of the Vocational Educational Board of Kentucky, for the fiscal year ending June 30, 1922, the following sums out of the following named funds and sources and for the following named purposes:

(a) For the purpose of carrying on Teacher Training Instruction in the State of Kentucky, under the provisions of Chapter VII of the Acts of 1918, there is hereby appropriated out of the general expenditure fund, $24,987.

(b) For the purpose of paying all the costs of inspection and supervision of the courses in Teacher Training under the provisions of Chapter VII of the Acts of 1918, there is appropriated out of the general expenditure fund, $2,500.

§ 45. West Kentucky Industrial College for Colored Persons. There is hereby appropriated out of the general expenditure fund, for the use and benefit of the West Kentucky Industrial College for Colored Persons, for the fiscal year ending June 30, 1922, to be expended by it for salaries, cost of maintenance and operation, in the manner now authorized by law or as may hereafter be authorized by law, the following sums for the following purposes:

(a) For the payment of salaries and other costs of maintenance and operation, $3,000.

(b) For permanent improvements, $5,000.

§ 46. University of Kentucky. There is hereby appropriated and set aside out of the funds and from the sources hereinafter designated, for the use and benefit of the University of Kentucky, for the fiscal year ending June 30, 1922,

the following sums from the following funds and sources and for the following purposes:

(a) For the purpose of paying salaries and all other expenses of maintenance and operation of the Division of Colleges of the University of Kentucky, in the manner now authorized by law or as may hereafter be authorized by law, there is set aside and appropriated all the tax of one and three-fourths cents on each one hundred dollars of taxable property in the Commonwealth, as now allowed and authorized by law.

(b) For the purpose of paying for the costs of maintenance and operation of the Experiment Station of University of Kentucky for said fiscal year, as now authorized by law or as may hereafter be authorized by law, there is appropriated out of the general expenditure fund the sum of $50,000.

(c) For the purpose of paying all the costs of the maintenance and operation of the Extension Division of the University of Kentucky for the fiscal year, in the manner now authorized by law or as may hereafter be authorized by law, there is hereby appropriated out of the general expenditure fund the sum of $126,528.

(d) For buying engineering equipment, same to be paid for out of the general expenditure fund, $30,000.

(e) For agricultural extension, same to be paid for out of the general expenditure fund, $30,000.

(f) For the construction of a dormitory for the Division of Colleges, same to be paid out of the general expenditure fund, $75,000.

§ 47. Workmen's Compensation Board. For the use and benefit of the Workmen's Compensation Board, for the fiscal year ending June 30, 1922, for the purpose of paying all the salaries, traveling expenses, printing, stamps, supplies and all other expenses of the operation and maintenance of said Board, as now provided by law or as may hereafter be provided by law, there is hereby set aside and appropriated all the funds now collected by law, or that may hereafter be collected by law, for the benefit of said Workmen's Compensation Board.

§ 48. Sinking Fund Commissioners. There is hereby appropriated and set aside to the use of the Sinking Fund Commissioners for the fiscal year ending June 30, 1922, the tax now allowed by law of one cent on each one hundred dollars of taxable property in the Commonwealth, to be used by said Commissioners for the purposes now authorized by law, or that may hereafter be authorized by law.

§ 49. State Board of Control. For the purpose of paying for the farm known as the "Mastin Place," consisting of four hundred and sixty-five (465) acres, an option for the purchase of which was taken by the State Board of Control of Kentucky from Mrs. G. H. Mastin on the 21st day of January, 1919, by contract of that date, at an agreed price of fifty-nine thousand dollars, said farm to be used for the benefit of the pauper idiots of the State, under the provisions of Chapter LIV of the Acts of 1918, there is hereby appropriated out of the general expenditure fund, for the fiscal year ending June 30, 1922, the sum of $59,000.

§ 50. Visiting County Nurses. There is hereby appropriated and set aside out of the general expenditure fund, for the fiscal year ending June 30, 1922, for the purpose of contributing to the compensation of Visiting County Nurses, under the provisions of Section 4 of Chapter LI of the Acts of 1918, the sum of $10,000. Said sum is to be paid out only in the manner and for the purposes set out in said Chapter LI of the Acts of 1919.

§ 51. Budget Appropriation Commission. For the use and benefit of the Budget Appropriation Commission for the fiscal year ending June 30, 1922, for the purpose of paying for clerical and stenographic hire and all other expenses authorized to be incurred by said Commission under the law, there is hereby appropriated out of the general expenditure fund, the sum of $500.

§ 52. In order to meet and provide for the payment, for the fiscal year ending June 30, 1922, the sums necessary to pay the costs of suits, attorneys' fees, conveyance of lunatics to the various asylums for the insane, commissions on fines and forfeitures, compensation for County Tax Commission-

ers, as now provided by law, costs of criminal prosecutions, amounts due the various clerks of the Commonwealth for their services and authorized to be paid out of the State Treasury, cost and distribution of public books, express charges not otherwise provided for in this act; the cost of the care of graves in the Frankfort Cemetery, as allowed by law, the yearly allowances made to idiots by the various Circuit Courts of the Commonwealth, interest on outstanding warrants or on warrants that may hereafter be issued, the per diem compensation of the Jury Commissioners of the various counties of the Commonwealth, the per centum of Jefferson County fees refunded to the various officers of Jefferson County, as now authorized by law or as may hereafter be authorized by law, the sums allowed by law for the Law Library of the Commonwealth, to cover all moneys that may be required to be refunded as now provided by law, or may hereafter be provided by law, the cost of public books, including record books, compensation of the various County Boards of Supervisors, any and all rewards authorized by law, and any and all exonerations allowed to the sheriff by law, any and all amounts authorized by law to be paid to the Trustee of the Jury Fund of the various counties of the Commonwealth, and any other general expenditures now allowed by law and payable out of the general expenditure fund of the Commonwealth, the Auditor is authorized and directed to draw his warrant for the amount due, and the Treasurer is authorized to pay the same, in the manner now authorized by law for the payment of such claims. For the purpose of paying all costs of operation of the Legislative Department of State Government, the common school system and salaries of Commonwealth's Attorneys, for the fiscal year ending June 30, 1922, and not specifically provided for in this act, the Auditor of Public Accounts is authorized and directed to draw his warrant and the Treasurer to pay same in the manner now provided by law for the payment of such claims.

§ 53. State Printing Commission. There is hereby appropriated to the State Printing Commission, for the purpose of paying for the necessary paper for use in State printing,

for the fiscal year ending June 30, 1922, in the manner now provided by law, the sum of $80,000.

§ 54. Each section of this act appropriating money is designed to be a separate and distinct appropriation, and, in event any appropriation made is held to be unauthorized by law, it shall in no wise affect the other appropriations provided for in this act.

Mr. Morgan offered amendment No. 1, which reads as follows:

Amend House Bill No. 435, in line 7 of Section 20, by eliminating the figures $5,000,'' and inserting in lieu thereof the figures ''$3,000.''

Said motion was agreed to.

By same, amendment No. 2, which is as follows:

Amend House Bill No. 435, in line 10 of Section 37, by eliminating the figures ''1920'' and adding in lieu thereof the figures ''1922.''

Said amendment was agreed to.

By same, amendment No. 3, as follows:

Amend House Bill No. 435 by striking therefrom Section 49.

Said amendment was agreed to.

By same, amendment No. 4, as follows:

Amend House Bill No. 435, in line 6 of Section 20, by eliminating the figures ''$10,070.00,'' and inserting in lieu thereof the figures ''$12,070.00.''

Said amendment was agreed to.

By same, amendment No. 5, as follows:

Amend House Bill 435 in line 7 of Section 34 by eliminating the figures "$90,000" and inserting in lieu thereof the figures "$95,000."

Said amendment was agreed to.

By same, amendment No. 6, as follows:

Amend House Bill No. 435 by striking from line 2 and line 3 of Section 33 on page 13, of the printed bill, the words "Kentucky Institution for the Education of the Blind" and inserting in lieu thereof the words "Kentucky School for the Blind."

Amend Sub-Section (a) of Section 33 by striking from line 9 thereof on page 13 of printed bill the figures "$40,000" and inserting in lieu thereof "$45,000."

Said amendment was agreed to.

By same, amendment No. 7, as follows:

Amend House Bill 435 in line 7 of Section 27 by eliminating the figures "$50,000" and inserting in lieu thereof the figures "$55,000."

Said amendment was agreed to.

By same, amendment No. 8, which is as follows:

Amend House Bill 435 in line 6 of Section 28, by eliminating the figures "$10,000" and inserting in lieu thereof the figures "$15,000."

Said amendment was agreed to.

Mr. Stultz offered amendment No. 9, as follows:

Amend Section 23, line 7, by striking out the figures "$3,-000.00" and inserting in lieu thereof the figures "$5,000.00."

Said amendment was agreed to.

By Mr. Meyers, amendment No. 10, as follows:

Amend House Bill 435 by striking out "$21,000" in line 8, Section 29, and by inserting "$25,000." In line 9 strike out "$25,000" and insert "$21,000."

Said amendment was agreed to.

By Mr. Hamilton, amendment No. 11, as follows:

Amend page 17, line 24, remove word "extension," insert word "instruction," make read "for agricultural instruction."

This amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, resulted as follows:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Dr. B. F. Shields
Sidney Alfrey	Griffin Kelly	S. G. Smith
L. H. Ballard	J. M. Knott	H. A. Spillman

H. H. Barnes	Dr. S. D. Laughlin	Wm. A. Stewart
S. M. Bennett	Hebron Lawrence	T. R. Stultz
Rodney G. Bryson	Joseph Lazarus	John W. Swope
Roy J. Cain	Rev. J. A. Lee	John B. Thomas
W. T. Carner	Elmer Lusby	J. Mack Thompson
J. F. Carr	R. C. Marcum	J. H. Thompson.
T. L. Caudel	I. S. Mason	C. B. Truesdell
Charles M. Ciarlo	A. J. McCandless	John L. Trumbo
B. L. Cox	R. L. McFarron	J. Wood Vance
J. S. Cruse	Harry J. Meyers	Fred C. Vanhoose
P. A. Day	Mack J. Morgan	Daniel Vose
H. N. Dean	John T. Murphy	Geo. C. Waggoner
J. B. Denues	Chas. A. Nelson	A. M. Wash
B. J. Geohringer	T. C. Pryse	J. S. Webb
J. W. Geveden	Lee Rogers	Dr. T. R. Welch
A. L. Hamilton	B. A. Roth	Gladstone Wesley
D. J. Howard	Dr. Lewis Ryans	W. N. Winn
A. R. Hudson	Chas. R. Scott	Dr. W. S. Yazell
Adam W. Huff	E. E. Shannon	—65

So said bill as amended was passed.

Resolved, That the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, moved that the House take up for consideration from the Orders of the Day House Bill No. 26.

Mr. Kaufman made the point of order that said bill and the actions of certain persons with reference thereto are under investigation and that, under a resolution passed by the House yesterday, the bill is to be deferred pending said investigation.

The Speaker ruled that the point of order was well taken and that the consideration of the bill should be deferred.

Mr. Lazarus moved that the House take up for consideration House Bill No. 424.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled House Bill No. 424.

Said bill reads as follows:

An Act to incorporate the Kentucky State Horticultural Society, to define its powers and duties and appropriate $5,000 for the execution of its purposes.

Whereas, fruit growing in Kentucky offers one of the most important potential sources of wealth in our State, and if properly developed would bring to her people much money from without her borders and furnish healthful employment to large numbers of her people; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Kentucky State Horticultural Society, as at present organized, is hereby created a body corporate under the style and name of the Kentucky State Horticultural Society, and that the same is granted in perpetuity all the privileges, powers and rights of corporation under the general laws of this State.

The objects and purposes of this society shall be to foster and encourage the horticultural interests of the State. To encourage better methods of production, packing and marketing. To act as a medium for distribution of scientific knowledge acquired by experiment stations and other co-operative agencies. To provide meetings where growers will exchange ideas of value and learn better methods by observation of

prize horticultural products and accessories, and print an annual report of such proceedings. To assemble and display horticultural exhibits for educational purposes and to advertise State horticultural advantages. To offer prizes to stimulate improved methods within the State, together with such other action as in the opinion of its directors will advance the horticultural development of Kentucky.

For the purpose of carrying into effect the objects above stated, the following persons who constitute the present officers and directors of said society shall be the officers and said Board of Directors of the Kentucky State Horticultural Society: W. H. Stites, president; ....., vice-president; ....., second vice-president; ....., third vice-president; N. R. Elliott, secretary and treasurer; and in them and their successors, when duly elected as hereinafter provided, shall be perpetually vested the rights and powers of this corporation.

It shall be the duty of the above board of directors to adopt and publish a constitution and by-laws for the government of the Kentucky State Horticultural Society, and when so adopted and published, it shall not be altered or amended except by a majority vote of the members present at any regular annual meeting of the society.

This society shall hold at least one annual meeting at such time and place as the board of directors determine, and at such meeting shall elect a president and one vice-president for each of the three physical divisions of the State and secretary-treasurer, which officers as above enumerated shall constitute the board of directors of the society in succession to those named above.

For the purpose of enabling the society to perform the duties with which it is charged and empowered, there is hereby appropriated five thousand dollars annually from the State Treasury from moneys not otherwise appropriated, and upon requisition signed by the president and secretary of the Kentucky State Horticultural Society the State Auditor is hereby directed to draw his warrant in their favor upon the State Treasurer for any amount not in excess of the amount appropriated.

The society shall make annual report to the Governor giving in detail its operations and expenditures under this act, and the treasurer of the society shall give bond for five thousand dollars in a surety company approved by the Governor.

All laws or parts of laws in conflict with this act are hereby repealed.

This act shall be enforced from its passage.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the bill be read the third time by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	E. E. Shannon
Sidney Alfrey	Henry Kaufman	S. G. Smith
H. H. Barnes	Griffin Kelly	H. A. Spillman
S. M. Bennett	J. M. Knott	Wm. A. Stewart
Roy J. Cain	Dr. S. D. Laughlin	John T. E. Stites
W. T. Carner	Hebron Lawrence	T. R. Stultz
J. F. Carr	Joseph Lazarus	John W. Swope
T. L. Caudel	Elmer Lusby	J. Mack Thompson
Charles M. Ciarlo	R. C. Marcum	J. H. Thompson
B. L. Cox	I. S. Mason	C. B. Truesdell
J. S. Cruse	A. J. McCandless	John L. Trumbo

P. A. Day	R. L. McFarron	J. Wood Vance
H. N. Dean	Harry J. Meyers	Fred C. Vanhoose
J. B. Denues	Mack J. Morgan	Daniel Vose
H. C. Duffy	John T. Murphy	Geo. C. Waggoner
B. J. Geohringer	Chas. A. Nelson	A. M. Wash
J. W. Geveden	B. F. Reynolds	J. S. Webb
Dr. W. L. Gossett	Sherman Robbins	Dr. T. R. Welch
A. L. Hamilton	Lee Rogers	W. G. Wheeler
D. J. Howard	B. A. Roth	W. N. Winn
A. R. Hudson	Dr. Lewis Ryans	Dr. W. S. Yazell
Adam W. Huff	Chas. R. Scott	—65

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was then sent to the Senate.

Mr. Lazarus moved that the House take up for consideration House Bill No. 214.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day House Bill No. 214.

Said bill reads as follows:

An Act entitled, an Act fixing the legal rate of rent in the Commonwealth of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That legal rent of real estate and its appurtenances shall be at the rate of ten ($10) dollars per annum upon each one hundred ($100) dollars of its assessed value as shown by

the last assessment made for state and county purposes plus cost of service in the case of apartment and other buildings where such is required and improvements or repairs not to exceed three (3) per cent of said assessed value in any one year.

§ 2. All contracts, assurances and leases made directly or indirectly, rental of real estate and its appurtenances at greater rate than legal rate, shall be void for the excess over the legal rent. The legal rent may be recovered on any such contract, assurance or lease; but if the renter refuse before suit brought, a tender of the legal rent, he shall pay the cost of any suit brought on such contract, assurance or lease.

§ 3. Violation of any provision of this Act shall be deemed a misdemeanor and punishable by a fine of not more than fifty ($50) dollars or imprisonment in the county jail for not more than three months or both in the discretion of the jury.

§ 4. Provided that nothing in this Act shall be construed as impairing the validity of any contract, assurance or lease for rental entered into prior to its passage and approval.

§ 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

§ 6. By reason of the rapidly mounting cost of rental and the serious housing situation in many parts of the Commonwealth, an emergency is hereby declared and this Act is to become effective upon its passage and approval by the Governor.

Mr. Lazarus moved that the bill be read the third time by its title only.

Said motion was agreed to.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

S. M. Bennett	A. R. Hudson	A. J. McCandless
T. L. Caudel		—4

Those who voted in the negative were:

Lon Adams	Dr. S. D. Laughlin	John T. E. Stites
L. H. Ballard	Hebron Lawrence	T. R. Stultz
Rodney G. Bryson	Joseph Lazarus	John W. Swope
Roy J. Cain	Rev. J. A. Lee	John B. Thomas
J. F. Carr	Elmer Lusby	J. Mack Thompson
Charles M. Ciarlo	R. C. Marcum	J. H. Thompson
B. L. Cox	R. L. McFarron	C. B. Truesdell
J. S. Cruse	Harry J. Meyers	John L. Trumbo
P. A. Day	John T. Murphy	J. Wood Vance
J. B. Denues	Chas. A. Nelson	Fred C. Vanhoose
H. C. Duffy	T. C. Pryse	Daniel Vose
B. J. Geohringer	B. F. Reynolds	A. M. Wash
J. W. Geveden	Sherman Robbins	J. S. Webb
Dr. W. L. Gossett	Lee Rogers	Dr. T. R. Welch
D. J. Howard	B. A. Roth	Gladstone Wesley
Adam W. Huff	Dr. Lewis Ryans	W. G. Wheeler
Robt. Humphreys	Chas. R. Scott	V. M. Williamson
J. W. Johnson	E. E. Shannon	W. N. Winn
Henry Kaufman	Dr. B. F. Shields	Dr. W. S. Yazell
Griffin Kelly	S. G. Smith	—61
J. M. Knott	H. A. Spillman	

So said bill was lost.

Mr. Lazarus moved that the House take up for consideration House Bill No. 415.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 415.

Said bill reads as follows:

An Act relating to revenue and taxation, requiring an excise or license tax to be paid on all gasoline or any substitute therefor sold at retail in this State and requiring any person engaging in business of selling gasoline or any substitute therefor at retail to pay said tax for the privilege of engaging in said business; providing the manner of collecting said tax, requiring reports and fixing fines and penalties for violations of the Act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There shall be paid on all gasoline, or any substitute therefor, sold at retail in this State, a tax of 2c on each gallon, and the said tax shall be for use in the construction and maintenance of State highways and shall be set apart in the State Treasury to the credit of the State road fund.

§ 2. The State Tax Commission is hereby authorized and empowered to prescribe and furnish all necessary blanks, forms, books and reports necessary in carrying out the provisions of this Act.

§ 3. Within thirty days after this Act goes into effect, every person, firm or corporation shall make a report on blanks furnished as aforesaid, to the county court clerk, giving such information as may be called for in said blank report. Said report shall be made to the county clerk of the county in which the place or places of business of such person, firm or corporation is located. The county clerk shall enter on a book kept for that purpose, the name of every retail dealer who sells gasoline, or any substitute therefor, in his county. After this Act becomes effective, no person shall engage in selling gasoline, or any substitute therefor, by re-

tail, until he has made a report to the county clerk and his name has been entered upon said book. If any person, firm or corporation engaged in selling gasoline, or any substitute therefor, by retail, shall fail to make such report to the county court clerk, he or it shall be subject to a fine of not less than $50 for each offense and every week that such report is not made shall constitute a separate offense.

§ 4. On the first day of each month, every such dealer shall make a report to the county court clerk showing the number of gallons of gasoline, or any substitute therefor, sold during the preceding month and at the same time, shall remit to the county clerk the amount of tax due thereon. Said report shall be made on a blank form furnished as aforesaid. Within ten days after said tax is paid to the county clerk, he shall report same to the Auditor of Public Accounts and at the same time shall pay said tax into the State Treasury.

§ 5. If any such dealer shall fail to make a report to the county court clerk on the first day of each month as aforesaid and shall fail to pay the tax due, he shall be guilty of a misdemeanor and shall be subject to a fine of not less than $50, but if such dealer shall make the report required and pay all tax due before judgment for such fine has been entered against him any prosecution shall be dismissed, but he shall be required to pay 20 per cent. penalty on the tax due.

§ 6. The county court clerk shall be required to execute a bond conditioned that he will duly account for all money that may come into his hands under the provisions of this Act. The amount of the bond shall be fixed by the county court and shall be sufficient to cover all money that may come into his hands by reason of the provisions of this Act. Said bond shall be entered of record in the office of the county court clerk and shall be approved by the county judge. If any county clerk shall fail to make a report to the Auditor as herein required and pay the tax due into the State treasury as required, he shall be subject to a fine of not less than $50, which may be recovered by indictment in the Franklin circuit court.

§ 7. Any officer whose duty it is to collect claims or demands due the Commonwealth, shall have the right at any

time to examine the books of every such dealer and to institute proceeding to collect any tax which has not been paid according to law and in all cases where the tax has not been paid according to law and is collected by proceedings in any court, a penalty of 20 per cent. shall be added to the amount due, in addition to the penalties due to such officers under the law. The said penalty shall be paid into the State treasury as a part of the tax.

§ 8. If any such dealer or any county clerk makes a false report under the provisions of this Act, he shall be guilty of the offense of false swearing.

§ 9. For his services herein under the provisions of this Act, the county court clerk shall be allowed to withhold as his commission 5 per cent. of the amount of tax so collected.

§ 10. Any person, firm, or corporation who shall sell gasoline, or any substitute therefor, to any individual, firm, corporation or association who does not sell such gasoline, or any substitute therefor, to the retail trade, shall be deemed a retail dealer.

Mr. Hamilton offered amendment No. 1, as follows:

In Section 1, line 1, after the word "therefor" insert the words "to be used in automobiles, motorcycles and trucks."

Said amendment was disagreed to.

Mr. Rogers offered amendment No. 2, as follows:

Amend House Bill 415 by adding Section 11: That a tax of 10 cents per $100 be levied on all money on deposit in State, county, national banks and trust companies for the road fund.

Mr. Smith made the point of order that said amendment was not germane to the bill.

The Speaker ruled that said point was well taken and that the amendment was out of order.

Mr. Smith offered amendment No. 3, as follows:

Amend House Bill No. 415 by striking out the "5 per cent" in line 3 of Section 9, and inserting in lieu thereof "1 per cent."

Said amendment was agreed to.

Mr. Murphy offered amendment No. 4, as follows:

Amend House Bill 415 by adding paragraph, Section 11, as follows:

All firms, corporations and individuals owning, operating or mining coal in this State shall pay into the State Treasury a tax of three cents per ton on coal mined in this State, said tax to be divided as follows: one cent to go to the school fund, and two cents to go to the road fund. This tax is to be collected as provided in the collection of tax on gasoline.

The Speaker ruled that said amendment was not germane to the bill and that it was out of order.

Mr. Smith offered amendment No. 5, as follows:

Substitute for Section 4, House Bill No. 415:

Section 4. On the first day of each month it shall be the duty of every such dealer to make a report to the county court clerk showing the number of gallons of gasoline, or any substitute therefor, sold during the preceding month, and, at the same time, shall remit to the county court clerk the amount of tax due thereon. It shall also be the duty of every wholesale dealer to make a report to the county court clerk of each county in this Commonwealth in which such dealer has made sales of gasoline, or any substitute therefor, during the preceding month, showing the names of the purchaser and the number of gallons sold in each instance. Said report shall

be made on blank forms furnished as aforesaid, and shall in all cases where the said wholesale dealer has made sales of gasoline direct to the consumer said report shall be accompanied by a remittance of the tax due thereon, and for a failure to make such report the wholesale dealer shall be subject to the fines and penalties defined in Section 5 and 8 of this Act. Within ten days after said tax is paid to the county court clerk he shall report same to the Auditor of Public Accounts and at the same time shall pay said tax into the State Treasury.

Said amendment was agreed to.

Mr. Vance offered amendment No. 6, as follows:

New section:

If any section or any part thereof of this Act shall be declared unconstitutional, such decision shall not affect any other part of this Act, and this shall apply especially to the exemption of farm tractors and stationary engines and motor boats and farm electric plants.

Said amendment was agreed to.

Mr. Smith offered amendment No. 7, as follows:

Amend House Bill 415 by inserting after the word "dealer" in last line of Section 10, the following words: "Provided that nothing in any section of this Act shall apply to gasoline or any substitute therefor sold for the operation of farm tractors or stationary engines."

Said amendment was agreed to.

Mr. Lazarus moved that said bill be engrossed and read the third time by its title.

Said motion was agreed to.

Ordered, that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	Dr. Lewis Ryans
L. H. Ballard	Henry Kaufman	S. G. Smith
H. H. Barnes	Dr. S. D. Laughlin	Wm. A. Stewart
S. M. Bennett	Hebron Lawrence	John T. E. Stites
Jo F. Bosworth	Joseph Lazarus	T. R. Stultz
Rodney G. Bryson	Rev. J. A. Lee	C. B. Truesdell
Roy J. Cain	R. C. Marcum	John L. Trumbo
W. T. Carner	I. S. Mason	J. Wood Vance
J. F. Carr	A. J. McCandless	Fred C. Vanhoose
T. L. Caudel	R. L. McFarron	Daniel Vose
B. L. Cox	H. C. McLellen	Geo. C. Waggoner
J. S. Cruse	Mack J. Morgan	A. M. Wash
H. N. Dean	Chas. A. Nelson	J. S. Webb
J. B. Denues	T. C. Pryse	Gladstone Wesley
Dr. T. H. Gamblin	Sherman Robbins	V. M. Williamson
B. J. Geohringer	Lee Rogers	W. N. Winn
A. R. Hudson	B. A. Roth	Dr. W. S. Yazell

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Those who voted in the negative were:

Lon Adams	Griffin Kelly	H. A. Spillman
P. A. Day	J. M. Knott	John W. Swope
H. C. Duffy	Elmer Lusby	John B. Thomas

J. W. Geveden	Harry J. Meyers	J. Mack Thompson
Dr. W. L. Gossett	John T. Murphy	J. H. Thompson
A. L. Hamilton	B. F. Reynolds	Dr. T. R. Welch
D. J. Howard	Chas. R. Scott	W. G. Wheeler
Robt. Humphreys	E. E. Shannon	—25
J. W. Johnson	Dr. B. F. Shields	

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed Senate Bill No. 11, entitled:

An Act to create a commission for the purpose of making a survey of the educational systems of Kentucky supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

Also that it had passed Senate Bill No. 149, entitled:

An Act relating to public health: to provide State aid for the acquisition, construction, equipment, and maintenance of tuberculosis district sanatoria in this Commonwealth and in making improvements, betterments and additions thereto.

Also that it had passed Senate Bill No. 208, entitled:

An Act consolidating the office of jailer in this Commonwealth with that of sheriff in all counties other than those containing cities of the first and second class.

Also that it had passed Senate Bill No. 185, entitled:

An Act to amend and to add to the corporate power of the Sisters of the "Literary Society of Saint Catherine," incorporated by the Act of December 19, 1839, Chapter XXVIII, under the title of the "Literary Institution of Saint Magdalen," and which was further amended by the Act of March 11, 1858, being Chapter CCCCVI, changing the name of said institution to the "Literary Society of Saint Catherine of Sienna."

Ordered, that said bills be printed and referred to the Committee on Rules.

Mr. Lazarus moved that the House take up for consideration House Bill No. 416.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, House Bill No. 416.

Said bill reads as follows:

An Act to amend and re-enact Section 2739-g-2, Kentucky Statutes, volume 3, edition 1915, which was originally Section 2 of Chapter LXIX, Acts of 1914, and which was amended by Chapter XXVII, Acts 1918, relating to the registration of and licensing of motor vehicles.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2739-g-2, Kentucky Statutes, volume 3, edition 1915, which was Section 2 of Chapter LXIX, Acts 1914, and which was amended by Chapter XXVII, Acts 1918, be amended and re-enacted so that same, when so re-enacted will read as follows:

Every owner of a motor vehicle shall immediately upon the acquirement thereof, except as otherwise provided in this Act, file in the office of the State Tax Commission an application properly sworn to, setting forth his name and address,

with a brief description of the motor vehicle to be registered, including the name of the maker, the factory number, style of vehicle and motor power, on an application to be prepared and furnished by the State Tax Commission for that purpose, and shall pay the said State Tax Commission a registration fee on each motor vehicle of one ($1.00) dollar for each horse power, the horse power of each vehicle to be ascertained in the scientific and usual standard manner; on commercial trucks the following rate shall be charged:

Those having a capacity of one thousand pounds or less, twenty-two dollars; those having a capacity of more than one thousand pounds and up to two thousand pounds, thirty dollars; those having a capacity of more than two thousand pounds and up to three thousand pounds, forty dollars; those having a capacity of more than three thousand pounds and up to four thousand pounds, fifty dollars; those having a capacity of more than four thousand pounds and up to five thousand pounds, sixty dollars; those having a capacity of more than five thousand pounds and up to six thousand pounds, seventy dollars; those having a capacity of more than six thousand pounds and up to seven thousand pounds, ninety dollars; those having a capacity of more than seven thousand pounds and up to eight thousand pounds, one hundred and ten dollars; those having a capacity of more than eight thousand pounds and up to nine thousand pounds, one hundred and thirty dollars; those having a capacity of more than nine thousand pounds and up to ten thousand pounds, one hundred and fifty dollars; those having a capacity of more than ten thousand pounds shall pay one hundred and fifty dollars and fifty dollars for each additional ton. The applicant for license for commercial motor trucks shall state in his application the capacity of the truck. Provided, that if the motor vehicle be a motorcycle the fee paid for registration thereof shall be ten ($10.00) dollars. All such registration and re-registration fees shall hereafter fall due on the first day of January of each year and be for one year from such date. In the event any person becomes the owner of a motor vehicle after said date of any year, then he is to be charged such a proportion

of such fee as the date of purchase bears to the last named date for the first year, and thereafter register and pay his registration fee on the date above set forth. Said registration shall be made on the date the application is received and filed by the State Tax Commission.

Upon filing in the office of the State Tax Commission of said application as hereinbefore provided, the State Tax Commission, or its duly authorized agent, shall, without further fee, assign and furnish to the owner of such motor vehicle as described in such application, two distinctive number plates to be paid for, together with the transportation of same to the owner, out of the funds arising from the registration fees, and shall issue to the owner of such motor vehicle as is described in the application filed, a certificate of registration, which certificate shall be in the form of a card, which may be carried in the pocket, and which certificate shall contain the distinctive number so assigned to such motor vehicle, the name and address of the owner and brief description of such motor vehicle, stating the name of the manufacturer and the motor power.

Duplicate certificates of registration will be issued upon payment of a fee of fifty cents. The State Tax Commission shall cause the name of such owner, with his address, registration number and the date of filing of application and description of such motor vehicle or motor vehicles, to be entered in alphabetical order of the owner's name in a book to be kept for that purpose in the office of the State Tax Commission; provided, that this act shall not apply to manufacturers of, or dealers in, motors in this State, except as to vehicles kept by such manufacturers or dealers for private use or public hire.

Nothing in this section shall apply to motor trucks not operated on public roads nor to motor trucks which are operated on public roads constructed and maintained by the owner or owners of such trucks nor the automobiles owned and operated in the service of the State of Kentucky, or by any county or municipality therein, but such automobiles shall have attached both front and rear, as provided in this act, a tag selected by the proper official of said State, county or

municipality sufficient to identify the ownership of said vehicle.

The State Tax Commission may prescribe blanks upon which application shall be made and may change the form from time to time and may change any other form which may be in use under the provisions of the motor vehicle law.

Mr. Lazarus moved that said bill be read the third time by its title only.

This motion was agreed to.

Mr. Smith offered amendment No. 1, as follows:

Amend House Bill 416 by striking out the words and figures "one ($1.00) dollar" in line 14, on page 1, and insert in lieu thereof the words "sixty cents."

Said amendment was agreed to.

Mr. Murphy offered amendment No. 2, as follows:

Amend House Bill 416: All horse drawn vehicles shall pay an annual tax, to-wit: all one-horse drawn vehicles shall pay an annual tax of $3.00, and all other vehicles shall pay for each extra horse or other power except motor power $2.00 additional. This tax shall be paid as required by motor vehicles.

Mr. J. H. Thompson moved the previous question.

The Speaker stated: "Shall the main question now be ordered?"

The question was decided in the affirmative.

Mr. Murphy and another demanded a roll-call on amendment No. 2, offered by Mr. Murphy.

The yeas and nays being taken thereon resulted as follows:

Those who voted in the affirmative were:

Rodney G. Bryson	Harry J. Meyers	H. A. Spillman
P. A. Day	John T. Murphy	John T. E. Stites
H. C. Duffy	B. F. Reynolds	T. R. Stultz
A. L. Hamilton	Lee Rogers	John W. Swope
Robt. Humphreys	Chas. R. Scott	John B. Thomas

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Those who voted in the negative were:

Lon Adams	Adam W. Huff	S. G. Smith
Sidney Alfrey	J. W. Johnson	Wm. A. Stewart
L. H. Ballard	Henry Kaufman	J. Mack Thompson
H. H. Barnes	Griffin Kelly	J. H. Thompson
S. M. Bennett	J. M. Knott	C. B. Truesdell
Roy J. Cain	Dr. S. D. Laughlin	John L. Trumbo
W. T. Carner	Hebron Lawrence	J. Wood Vance
J. F. Carr	Joseph Lazarus	Fred C. Vanhoose
T. L. Caudel	R. C. Marcum	Daniel Vose
B. L. Cox	I. S. Mason	A. M. Wash
J. S. Cruse	A. J. McCandless	J. S. Webb
H. N. Dean	R. L. McFarron	Dr. T. R. Welch
Dr. T. H. Gamblin	Mack J. Morgan	Gladstone Wesley
B. J. Geohringer	Chas. A. Nelson	W. G. Wheeler
J. W. Geveden	T. C. Pryse	W. N. Winn
Dr. W. L. Gossett	Sherman Robbins	Dr. W. S. Yazell
D. J. Howard	E. E. Shannon	—52
A. R. Hudson	Dr. B. F. Shields	

So said amendment was rejected.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that said bill be read the third time by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	S. G. Smith
L. H. Ballard	Dr. S. D. Laughlin	Wm. A. Stewart
H. H. Barnes	Hebron Lawrence	John T. E. Stites
S. M. Bennett	Joseph Lazarus	T. R. Stultz
Jo F. Bosworth	Rev. J. A. Lee	J. Mack Thompson
Rodney G. Bryson	R. C. Marcum	J. H. Thompson
W. T. Carner	I. S. Mason	C. B. Truesdell
J. F. Carr	A. J. McCandless	John L. Trumbo
T. L. Caudel	R. L. McFarron	J. Wood Vance
B. L. Cox	H. C. McLellen	Fred C. Vanhoose
J. S. Cruse	Harry J. Meyers	Daniel Vose
H. N. Dean	Mack J. Morgan	Geo. C. Waggoner
J. B. Denues	T. C. Pryse	A. M. Wash
Dr. T. H. Gamblin	J. L. Richardson	J. S. Webb
B. J. Geohringer	Sherman Robbins	Dr. T. R. Welch
A. F. Hanberry	B. A. Roth	Gladstone Wesley
A. R. Hudson	Dr. Lewis Ryans	W. N. Winn
Adam W. Huff	E. E. Shannon	Dr. W. S. Yazell

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Those who voted in the negative were:

Lon Adams	D. J. Howard	B. F. Reynolds
Roy J. Cain	Robt. Humphreys	Lee Rogers
P. A. Day	J. W. Johnson	Chas. R. Scott

H. C. Duffy	Griffin Kelly	Dr. B. F. Shields
J. W. Geveden	J. M. Knott	H. A. Spillman
Dr. W. L. Gossett	Elmer Lusby	John W. Swope
A. L. Hamilton	John T. Murphy	John B. Thomas
Dr. W. L. Haynes	Chas. A. Nelson	R. E. Wilborn

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Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

This motion was agreed to.

The House took up for consideration from the calendar bills of the following titles, viz.:

House Bill No. 513, entitled:

An Act imposing an annual license tax upon every corporation, association, partnership and individual engaged in the business of manufacturing distilled spirits known as whisky or brandy or other species of double stamp spirits in this State, and upon every corporation, association, partnership and individual engaged in the business of owning and storing such spirits in bonded warehouses in this State, and in removing same therefrom for the purpose of sale, or for any other purpose; providing for monthly reports by distilleries and bonded warehousemen, for the purpose of ascertaining the amount of tax due; providing for monthly payments of the amount of license tax due; fixing a penalty for failure to make such monthly report and settlement; providing for the manner of distribution of the taxes so collected; repealing all other license, franchise and excise taxes on the businesses covered by this act; and declaring an emergency to exist.

House Bill No. 523, entitled:

An Act to amend an Act entitled "An Act to provide for the nominations of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof," which Act became a law March 5, 1912, as the same was amended by an Act of the Legislature approved March 23, 1914, so as to provide for the nominations of judges of the Court of Appeals and Circuit Courts of the State of Kentucky.

House Bill No. 469, entitled:

An Act to amend and re-enact Section 5, of Chapter XXXVI of the Acts of the General Assembly of 1916, relating to the working of convicts on public roads and bridges.

House Bill No. 468, entitled:

An Act to amend and re-enact Section 2 of an Act approved March 17, 1914, entitled "An Act to further regulate the admission of inmates of the House of Reform."

House Bill No. 449, entitled:

An Act to render void any provision in a will that any beneficiary, legatee, or devisee who may contest the provisions of the said will shall forfeit his legacy or bequest, devise or benefit under such will, or that same should otherwise be affected by such contest.

House Bill No. 426, entitled:

An Act to amend and re-enact Section 189 of the Code of Practice in Criminal Cases, relating to continuances.

House Bill No. 430, entitled:

An Act defining the civil liability of persons, firms or

corporations, owning or controlling a motor vehicle for damages caused by the negligence of their agents or servants or members of their household entrusted by such person, firm or corporation with the care, custody, control or operation of such motor vehicle.

House Bill No. 31, entitled:

An Act to amend Section 1777 of the Kentucky Statutes, Carroll's Edition, 1915, relating to the salaries of the deputy tax commissioners and assistant assessors and draughtsmen in counties having a population of more than seventy-five thousand.

House Bill No. 476, entitled:

An Act to incorporate the "Jefferson Davis Memorial."

House Bill No. 256, entitled:

An Act to make it a felony for a man to leave, desert, or abandon, without adequate support, his pregnant wife, or his wife with a child or children under sixteen years of age, or his wife without children but unable to support herself.

And Senate Bill No. 143, entitled:

An Act to suppress mob violence and prevent lynching: Providing for punishment of persons violating the provisions of the Act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

Mr. Lazarus moved that said bills be read the second time by their title only.

Said motion was agreed to.

Ordered that said bills be read the second time.

The provisions of the Constitution as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their title.

Ordered that said bills be placed in the Orders of the Day.

Mr. Lazarus moved that the following bills be read the first time and placed in the calendar.

Said motion was agreed to.

House Bill No. 111, entitled:

An Act entitled, An Act to create a commission for the purpose of making a survey of the educational systems of Kentucky, supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

House Bill No. 529, entitled:

An Act relating to the Clerk of the Court of Appeals, requiring him to make monthly reports under oath of all moneys received by him on account of his official duties or position from all sources, and to pay over to the Auditor the amounts so received; deputies allowed; and making provision for the salary of the Clerk of the Court of Appeals and his deputies.

House Bill No. 508, entitled:

An Act to amend and re-enact Subsection 1 of Section 1020; Subsection 4 of Section 1020; Subsection 6 of Section 1020, and Subsection 7 of Section 1020, of the Kentucky Statutes (Carroll's 1915 Edition) and to establish a domestic relations division of the chancery branch of circuit courts having seven judges, this division to have jurisdiction of all actions or special proceedings involving divorce, alimony, or both, and of all cases and matters coming within the terms and provisions of an Act entitled: "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or di-

rectly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all acts amending these said acts.

House Bill No. 249, entitled:

An Act to regulate and fix the charges on storage and custodianship of distilled spirits held in bonded warehouses.

House Bill No. 485, entitled:

An Act to relieve the shortage of cars and to assist the movement of freight within this Commonwealth.

House Bill No. 463, entitled:

An Act for the better protection of passengers and property on railroads within the confines of this Commonwealth.

House Bill No. 410, entitled:

An Act to amend an Act of June 23, 1893, and which Act was itself amended by an Act of March, 1904, and especially amending Section 4348 of Kentucky Statutes, entitled "passways."

And Senate Bill No. 53, entitled:

An Act to amend Section 965 Kentucky Statutes, fixing the time for holding Circuit Courts in this Commonwealth.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

The following pairs were announced:

Mr. Ballard, who will be absent, with Mr. Shields on all party and administration measures that may come up on March 3, 1920.

Mr. Ballard, if present, would vote for such measures.

Mr. Marcum, who will be absent, with Mr. Geveden, on all party or administration measures which may be voted upon on March 3, 1920.

Mr. Marcum, if present, would vote in favor of such measures.

Pursuant to Senate Resolution No. 19, inviting Mr. Bryan to address the General Assembly of Kentucky, the Speaker appointed, as a Committee on Arrangements:

Mr. Lee
Mr. Nelson
Mr. Barnes.

Mr. Welch moved that the House shall stand adjourned today at the conclusion of the report of the Committee on Enrollments.

Said motion was agreed to.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, resolutions of the following titles, viz:

House Resolution No. 26, entitled:

Joint Resolution;

House Resolution No. 32, entitled:

Joint Resolution for the benefit of the pages and Cloakroom keepers of the House and Senate.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said resolutions.

Ordered that the Enrolling Clerk deliver said resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolutions which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled resolutions which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills and resolutions of the following titles, viz.:

Senate Bill 66, entitled:

An Act prohibiting betting or wagering on horse races other than at licensed race tracks or within enclosures during regular meetings wherein running, trotting or pacing races are being conducted by associations regularly organized for that purpose, and prescribing a penalty therefor.

Senate Resolution No. 18, entitled:

Joint resolution approving suggested plan of co-operation between the State Government and the City of Frankfort, and providing for a commission to be selected by the Governor and the Mayor of said city, authorized to report to the General Assembly of 1922 a measure to carry such plan into effect.

Whereupon all other business was suspended, said bill and resolution were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill and resolution.

Ordered that the Enrolling Clerk deliver said bill and resolution to the Senate.

Then the House, at 4:20 P. M., adjourned.

WEDNESDAY, MARCH 3, 1920.

The House was called to order at 10 A. M. by the Speaker.

The House was opened with prayer by Rev. M. S. Clark, of the Methodist Church.

The roll-call to ascertain the presence of a quorum resulted as follows:

Lon Adams	A. R. Hudson	B. A. Roth
Sidney Alfrey	Adam W. Huff	Dr. Lewis Ryans
L. H. Ballard	Robt. Humphreys	Chas. R. Scott
H. H. Barnes	J. W. Johnson	W. P. Scott
S. M. Bennett	Henry Kaufman	E. E. Shannon
W. M. Boling	Griffin Kelly	Dr. B. F. Shields

Jo F. Bosworth	Frank Kennard	S. G. Smith
Rodney G. Bryson	J. M. Knott	John T. E. Stites
Roy J. Cain	Dr. S. D. Laughlin	T. R. Stultz
W. T. Carner	Hebron Lawrence	John W. Swope
J. F. Carr	Joseph Lazarus	John B. Thomas
T. L. Caudel	Rev. J. A. Lee	J. Mack Thompson
Charles M. Ciarlo	Elmer Lusby	J. H. Thompson
A. S. Cooper	R. C. Marcum	C. B. Truesdell
B. L. Cox	I. S. Mason	John L. Trumbo
J. S. Cruse	A. J. McCandless	J. Wood Vance
P. A. Day	R. L. McFarron	Fred C. Vanhoose
H. N. Dean	H. C. McLellen	Daniel Vose
J. B. Denues	Harry J. Meyers	Geo. C. Waggoner
H. C. Duffy	Claude D. Minor	A. M. Wash
Dr. T. H. Gamblin	John T. Murphy	J. S. Webb
B. J. Geohringer	Estill W. Neel	Gladstone Wesley
J. W. Geveden	Chas. A. Nelson	W. G. Wheeler
Dr. W. L. Gossett	T. C. Pryse	W. N. Winn
A. L. Hamilton	S. C. Ray	Dr. W. S. Yazell
A. F. Hanberry	B. F. Reynolds	—
Dr. W. L. Haynes	J. L. Richardson	Present 81
D. J. Howard	Sherman Robbins	

On motion of Mr. Lazarus, the reading of the Journal of Tuesday, March 2, 1920, was dispensed with and the Journal approved.

The following bills, which had been engrossed, were sent to the Senate: House Bills Nos. 434 and 435.

Mr. Lazarus, of the Committee on Rules, moved that the House take up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 513. An Act imposing an annual license tax upon every corporation, association, partnership and individual engaged in the business of manufacturing distilled spirits known as whisky or brandy or other species of double stamp spirits in this State, and upon every corporation, association,

partnership and individual engaged in the business of owning and storing such spirits in bonded warehouses in this State, and in removing same therefrom for the purpose of sale, or for any other purpose; providing for monthly reports by distilleries and bonded warehousemen, for the purpose of ascertaining the amount of tax due; providing for monthly payments of the amount of license tax due; fixing a penalty for failure to make such monthly report and settlement; providing for the manner of distribution of the taxes so collected; repealing all other license, franchise and excise taxes on the business covered by this Act; and declaring an emergency tc exist.

Said motion was agreed to.

Said bill reads as follows:

An Act imposing an annual license tax upon every corporation, association, partnership and individual engaged in the business of manufacturing distilled spirits known as whisky or brandy or other species of double stamp spirits in this State, and upon every corporation, association, partnership and individual engaged in the business of owning and storing such spirits in bonded warehouses in the State, and in removing same therefrom for the purpose of sale, or for any other purpose; providing for monthly reports by distilleries and bonded warehousemen, for the purpose of ascertaining the amount of tax due; providing for monthly payments of the amount of license tax due; fixing a penalty for failure to make such monthly report and settlement; providing for the manner of distribution of the taxes so collected; repealing all other license, franchise and excise taxes on the businesses covered by this Act, and declaring an emergency to exist.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every corporation, association, partnership and individual engaged in the business of manufacturing distilled

spirits, known as whisky or brandy or other species of double stamp spirits, in this State; and every corporation, association, partnership and individual engaged in the business of owning and storing such spirits in bonded warehouses in this State, and in removing same therefrom for the purpose of sale, or for any other purpose, shall pay an annual license tax to the Commonwealth of Kentucky of fifty cents on every proof gallon of said distilled spirits so manufactured or stored in a bonded warehouse, or withdrawn from a bonded warehouse, or transferred therefrom under bond out of the Commonwealth of Kentucky.

§ 2. Every corporation, association, partnership and individual owning, controlling or operating a bonded warehouse in this State, wherein distilled spirits known as whisky or brandy or other species of double stamp spirits are stored, shall, on or before the 1st day of June, 1920, on blanks furnished by the Auditor of Public Accounts, report to the Auditor of Public Accounts the total amount of such spirits stored in a bonded warehouse owned, controlled or operated by such corporation, association, partnership or individual; and shall make monthly reports to the Auditor of Public Accounts thereafter, which reports must be signed and sworn to by such person, or, in case of a corporation, association or partnership, by some officer or person authorized to make such oath. The first report provided for herein shall show the number of proof gallons of such spirits withdrawn from said warehouse from the date this Act becomes effective to the date of making such report; and each monthly report thereafter shall show the number of proof gallons placed in said bonded warehouse since the date of making the last preceding report, the number of proof gallons withdrawn or transferred since the date of making the last preceding monthly report, and the aggregate number of gallons on hand at the date such report is made. In all cases where such spirits are transferred under bond from one bonded warehouse in this Commonwealth to another, said report shall show the warehouse from which same has been transferred and the warehouse to which same has been transferred, the quantity

thereof and the serial number of each of the packages so transferred.

§ 3. Every person, corporation, association or partnership operating, owning or controlling such bonded warehouses shall, at the time said reports herein provided for are made, pay to the Auditor of Public Accounts the tax of fifty cents per proof gallon upon each proof gallon of such spirits removed from the bonded warehouse owned, controlled or operated by such person, corporation, association or partnership or transferred under bond out of this State, up to the date of making such report; and for the purpose of securing the payment of the license taxes herein provided for, the Commonwealth shall have a lien on all such spirits stored in such bonded warehouses, together with the other property of the bonded warehouseman used in connection therewith; and in all cases where the spirits so removed or transferred were owned or controlled by another than the bonded warehouseman, then the bonded warehouseman shall collect and pay the tax due on such spirits so removed or transferred under bond, and shall be subrogated to the lien of the Commonwealth.

§ 4. Every corporation, association, partnership and individual engaged in distilling spirits, known as whisky or brandy or other species of double stamp spirits in this State, shall pay the license tax herein provided upon all such spirits so manufactured and removed from the premises without being placed in a bonded warehouse at the date of the removal of such spirits; and all such corporations, associations, partnerships and individuals engaged in the business of distilling such spirits in this State shall file monthly statements with the Auditor of Public Accounts, on blanks to be furnished by the Auditor, which statements must be sworn to and which statements shall show the number of proof gallons of such spirits so distilled and removed from the premises without having been stored in a bonded warehouse, and at the time of filing such statements shall pay to the Auditor of Public Accounts the amount due on such spirits so manufactured and removed; and for the payment of the taxes due un-

der this provision, the Commonwealth shall have a lien upon all the machinery and the premises and the manufactured spirits made thereon, of the corporation, association, partnership or individual engaged in such distilling business.

§ 5. Every person, corporation, association or partnership failing to make the reports herein provided for, in the manner herein provided for, and failing to pay the taxes as they become due, as herein provided for, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than five hundred dollars nor more than one thousand dollars, and each day after the date such report is due that such person, corporation, association or partnership is in default shall be treated and considered as a separate offense.

§ 6. The tax herein provided for, when collected, shall be distributed as follows: To the State road fund, sixty-five per cent thereof; to the general expenditure fund, thirty-five per cent thereof.

§ 7. The license tax herein imposed shall be in lieu of all other license, franchise or excise taxes now imposed by law on persons, corporations, partnerships or associations engaged in business covered by this Act; and all Acts in conflict therewith are hereby repealed, and especially there is hereby repealed Chapter V of the Acts of the Special 1917 Session of the General Assembly of Kentucky.

§ 8. Whereas, many persons, corporations, associations and partnerships are now engaged in the business covered and licensed by this Act, without paying an adequate license tax to the Commonwealth of Kentucky therefor; and whereas, the liquor which they are handling and in which they are dealing is constantly in large quantities being removed from the bonded warehouses and disposed of, without the State securing an adequate license tax thereon, an emergency is hereby declared to exist, and this Act shall take effect from and after the date of its passage and approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	Sherman Robbins
Sidney Alfrey	Robt. Humphreys	B. A. Roth
L. H. Ballard	Henry Kaufman	Dr. Lewis Ryans
H. H. Barnes	Griffin Kelly	W. P. Scott
S. M. Bennett	Frank Kennard	E. E. Shannon
W. M. Boling	Dr. S. D. Laughlin	Dr. B. F. Shields
Jo F. Bosworth	Hebron Lawrence	S. G. Smith
Rodney G. Bryson	Joseph Lazarus	John T. E. Stites
Roy J. Cain	Rev. J. A. Lee	T. R. Stultz
W. T. Carner	Elmer Lusby	John W. Swope
J. F. Carr	R. C. Marcum	J. Mack Thompson
T. L. Caudel	I. S. Mason	J. H. Thompson
B. L. Cox	A. J. McCandless	C. B. Truesdell
J. S. Cruse	R. L. McFarron	John L. Trumbo
H. N. Dean	H. C. McLellen	J. Wood Vance
J. B. Denues	Harry J. Meyers	Fred C. Vanhoose
Dr. T. H. Gamblin	Claude D. Minor	Daniel Vose
B. J. Geohringer	John T. Murphy	Geo. C. Waggoner
J. W. Geveden	Estill W. Neel	A. M. Wash
A. F. Hanberry	Chas. A. Nelson	J. S. Webb
Dr. W. L. Haynes	T. C. Pryse	Gladstone Wesley
D. J. Howard	B. F. Reynolds	W. N. Winn
A. R. Hudson	J. L. Richardson	Dr. W. S. Yazell

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Those who voted in the negative were:

A. S. Cooper	Dr. W. L. Gossett	Chas. R. Scott
P. A. Day	J. W. Johnson	John B. Thomas
H. C. Duffy	J. M. Knott	Dr. D. J. Travis

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Resolved, That the title thereof be as aforesaid.

Mr. Vance moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills were introduced by unanimous consent, ordered to be printed, and referred to the Committee on Rules, viz.:

By Mr. Murphy:

H. B. 536. Law regulating piano tuning.

To Committee on Rules.

By Mr. Duffy:

H. B. 537. An Act pertaining to producers of minerals; requiring certain reports to the State Geologist, fixing the time and place for filing same, providing for penalties and fees, the disposition of such fees; requiring certain duties of the State Geologist and providing for payment of expenses incident to the proper fulfillment of the duties of the Geological Department hereunder.

To Committee on Rules.

By Mr. Hamilton:

H. B. 538. An Act to amend and re-enact Sub-section 1, 1137 of the Kentucky Statutes, Carroll's Edition, 1915.

To Committee on Rules.

Mr. W. E. Ross, sheriff of Jefferson County, Louisville, Ky., returned to the Chief Clerk the following subpoena issued on the 1st day of March, 1920, viz.:

House of Representatives

Frankfort, Ky., March 1, 1920.

The Commonwealth of Kentucky,

To the Sergeant-of-Arms of the House of Representatives, or to any Sheriff, Marshal, Policeman or Constable in this Commonwealth:

You are hereby commanded to summon Phil Ossman, 306 West Jefferson Street, Louisville, Ky.; D. I. Muldoon, 306 West Jefferson Street, Louisville, Ky.; Charles Peetz (editor New Era), Market Street, between First and Second Streets; Col. J. H. Brewer, 609 Republic Building; Charles Gorman (President United Trades and Labor Assembly); Pat Gorman, South Shelby Street, between Main and Market Streets; F. R. McCredie, 306 West Jefferson Street; R. M. Morton, 911 West Market Street; A. Lazar, 312 West Jefferson Street; Miss Mamie Marquette, 311 Fourth Avenue; F. R. Pooley, Courier-Journal Building, and L. C. Harbison, Seelbach Hotel, to appear before a committee of the House of Representatives, at the Frankfort Hotel, in the city of Frankfort, Ky., on Tuesday, March 2, 1920, at 7:30 p. m., to testify before said committee relative to the matters mentioned in House Resolution No. 34, adopted by the House of Representatives March 1, 1920, and you will make due return how you have executed this process.

Given under my hand this first day of March, 1920.

LILBURN PHELPS, *Chief Clerk,*
House of Representatives.

Said subpoena was endorsed with the following return, viz.:

Come to hand March 2, 1920, at 9:30 a. m.

March 2, 1920. The within named Pat Gorman not found, said to be in Chicago, Ill.

(Signed) W. E. Ross, *S. J. C.*

By DAVID SCHENK, *D. S.*

Executed March 2, 1920, on Phil Ossman, D. I. Muldoon, J. H. Brewer, A. Lazar, and F. R. Pooley, by reading to each the within notice.

(Signed) W. E. Ross, *S. J. C.*

By GEO. MITCHELL, *D. S.*

Miss Mamie Marquette said to be ill; others not found for want of time.

Mr. Lazarus offered the following resolution, viz.:

H. Res. 37. Joint Resolution. Resolution for the benefit of the ministers of the gospel of Frankfort:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sum of three hundred and fifty dollars is hereby appropriated out of the money in the treasury not otherwise appropriated, to the Ministers of the Gospel of Frankfort, who have opened the sessions of the House and Senate with prayer during this session of the General Assembly. Said sum to be paid by the Auditor on the joint warrant of the Chief Clerks of the Senate and House of Representatives, who will distribute said sum equally to the ministers entitled to same.

§ 2. Whereas, it is but just and fair that these services should be paid for promptly, an emergency is declared to exist and this resolution shall take effect from and after its adoption.

Mr. Lazarus moved to suspend the rules and place said resolution upon its passage.

Said motion was adopted.

The yeas and nays being taken on the adoption of said resolution resulted as follows, viz.:

Lon Adams	D. J. Howard	J. L. Richardson
L. H. Ballard	Adam W. Huff	Sherman Robbins
H. H. Barnes	J. W. Johnson	B. A. Roth
S. M. Bennett	Henry Kaufman	Dr. Lewis Ryans
W. M. Boling	Griffin Kelly	Chas. R. Scott
Roy J. Cain	J. M. Knott	W. P. Scott
W. T. Carner	Dr. S. D. Laughlin	E. E. Shannon
J. F. Carr	Hebron Lawrence	S. G. Smith
T. L. Caudel	Joseph Lazarus	John T. E. Stites
A. S. Cooper	Rev. J. A. Lee	John W. Swope
B. L. Cox	Elmer Lusby	John B. Thomas
J. S. Cruse	R. C. Marcum	J. Mack Thompson
P. A. Day	I. S. Mason	C. B. Truesdell
H. N. Dean	A. J. McCandless	John L. Trumbo
H. C. Duffy	R. L. McFarron	Daniel Vose
Dr. T. H. Gamblin	Harry J. Meyers	Geo. C. Waggoner
B. J. Geohringer	Claude D. Minor	A. M. Wash
J. W. Geveden	John T. Murphy	J. S. Webb
Dr. W. L. Gossett	Estill W. Neel	Gladstone Wesley
A. F. Hanberry	Chas. A. Nelson	W. G. Wheeler
Dr. W. L. Haynes	T. C. Pryse	W. N. Winn

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So said resolution was adopted.

Mr. Lazarus moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said resolution be transmitted to the Senate.

After a while the Clerk reported that that duty had been performed.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 476. An Act to incorporate the "Jefferson Davis Memorial."

Said bill reads as follows, viz.:

Whereas, the "Jefferson Davis Home Association," has purchased and now owns a park or tract of land located at Fairview, in Christian County, Kentucky, containing about nineteen acres, and is now completing the erection thereon at great cost a monument to commemorate the birthplace, the deeds and the character of Jefferson Davis, President of the Confederate States of America, and said Association desires to present said park and monument to the Commonwealth of Kentucky, the said park and monument to be the property of said Commonwealth and to be maintained and kept in good condition as such: Now for the purpose of accepting said offer and procuring said park and monument for the Commonwealth:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created a corporation having perpetual succession, entitled the "Jefferson Davis Memorial," with power to accept from the said "Jefferson Davis Home Association," said park containing nineteen acres, more or less, located at Fairview, Christian County, Kentucky, and the monument and other improvements erected thereon, as soon as said monument shall be completed and dedicated, and

to hold said property for the use and benefit of the Commonwealth of Kentucky perpetually.

§ 2. Said corporation shall be governed by a board of trustees consisting of seven members, who shall be appointed and commissioned by the Governor. They shall serve without compensation and shall hold office for a term of four years and until their successors shall have been appointed and commissioned. Of the members of the first Board of Trustees two shall hold their offices for one year; two shall hold their offices for two years; two shall hold their offices for three years, and one shall hold his office for four years; the commission appointing them to designate the respective terms for which the members are appointed.

§ 3. Said Board of Trustees shall elect its own officers which may consist of a president of the board; a secretary of the board; and it may appoint such other officers and agents as may be necessary to carry out the purposes of the Board of Trustees in preserving and maintaining said park and monument.

§ 4. Said Board of Trustees shall report to the Governor, at least once every four years, and oftener if necessary, giving the condition of the park and monument, and any proceedings of the board since the last report, and suggesting any steps that should be taken by the Commonwealth to preserve the property committed to its care.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	Chas. R. Scott
Sidney Alfrey	Robt. Humphreys	W. P. Scott
L. H. Ballard	J. W. Johnson	E. E. Shannon
H. H. Barnes	Henry Kaufman	Dr. B. F. Shields
S. M. Bennett	Frank Kennard	S. G. Smith
W. M. Boling	J. M. Knott	John T. E. Stites
Rodney G. Bryson	Dr. S. D. Laughlin	T. R. Stultz
Roy J. Cain	Hebron Lawrence	John W. Swope
W. T. Carner	Joseph Lazarus	John B. Thomas
J. F. Carr	Rev. J. A. Lee	J. Mack Thompson
T. L. Caudel	Elmer Lusby	J. H. Thompson
A. S. Cooper	I. S. Mason	C. B. Truesdell
B. L. Cox	A. J. McCandless	John L. Trumbo
J. S. Cruse	R. L. McFarron	Fred C. Vanhoose
P. A. Day	H. C. McLellen	Daniel Vose
H. N. Dean	Claude D. Minor	Geo. C. Waggoner
Dr. T. H. Gamblin	John T. Murphy	A. M. Wash
B. J. Geohringer	Estill W. Neel	J. S. Webb
J. W. Geveden	Chas. A. Nelson	Gladstone Wesley
Dr. W. L. Gossett	J. L. Richardson	W. G. Wheeler
A. L. Hamilton	Sherman Robbins	W. N. Winn
A. F. Hanberry	B. A. Roth	Dr. W. S. Yazell
Dr. W. L. Haynes	Dr. Lewis Ryans	—68

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 225. An Act providing for county libraries and for the extension of library privileges to counties in this Commonwealth.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the fiscal court of any county in this Commonwealth in which there is no free public tax-supported library in any city or town therein, may establish a county public library, open and free to all the inhabitants of the county.

In order to support and maintain such library, the fiscal court may levy a tax of not less than five-tenths of a mill nor more than one mill on the dollar of all taxable property assessed for taxation in such county; and on the written petition of twenty-five resident freeholders of each magisterial district in the county, not already taxed for library purposes, the fiscal court of such county shall establish such library and levy such taxes.

Such petition shall be filed with the clerk of the county court and an attested copy thereof shall be presented to the fiscal court. Within five days after such petition shall have been filed, and after the tax for such library has been ordered or levied, in such county, the clerk of the county court shall notify the judge of the county court and the county superintendent of schools of such action. Within ten days after these notices have been sent to such officers, the fiscal court shall appoint two members, one of whom shall be a woman, to the county public library board for a term of one year; the county superintendent of schools shall appoint two members, one of whom shall be a woman, for two years, and the judge of the county court shall appoint three members, one of whom shall be a woman, one for one year, one for two years, and one for three years. Not more than two of the appointees shall reside in any one magisterial district. The terms of office for all members as appointed under this Act shall continue until January fifteenth, following the date of their expi-

ration as provided in this Act, and thereafter all appointments shall take effect on January fifteenth. All members of such library board appointed as herein provided shall serve until their successors are appointed and qualified. The appointing officer of officers, in making the appointments, shall select persons of well known probity, integrity, business ability and experience, and who are fit for the character of work they are to perform, and who shall have resided for a period of not less than one year immediately preceding their appointment in the county for which they are appointed, and who shall not be less than twenty-five years of age at the time of the appointment, and who shall serve without compensation. In case of vacancy on such board from any cause, it shall be the duty of the officer or officers of the board making appointments to fill such vacancy occurring in the membership appointed by each, respectively.

§ 2. All appointments to membership on the county library board shall be evidenced by a certificate of appointment, duly signed by the officer or the clerk or the secretary of the board making the appointment, and delivered to the appointee. Within ten days after receiving such certificate, such appointee shall qualify by taking an oath before some officer authorized to administer oaths, that such appointee will faithfully discharge the duties as a member of the public library board to the best of his ability, and who shall file such certificate with the oath endorsed thereon, with the clerk of the county court of the county in which such library is to be established. Such clerk shall thereupon make a record of such appointment and the term thereof.

§ 3. The members appointed as in this Act provided, shall constitute and be known as the County Library Board. They shall meet within ten days after their appointment and there organize by electing a president, a vice-president and a secretary. They shall have control and disbursement of the public funds for the use of the library from whatever source derived and the custody and control of all the books and other property of every name and description and shall have the power to purchase books, pamphlets, periodicals and other materials and all necessary equipment, furniture and supplies

and direct all the affairs of such county public library, and such library board in the name of the library shall be empowered to receive donations, bequests and legacies and to purchase, receive, sell and convey real estate and personal property for and on behalf of such library. They shall have the power to make and enforce rules for the management of such libraries as they may deem necessary, employ librarians, assistants, janitors and other employees, require official bonds, establish branches and deposit stations, issue or sell certificates of library cards to non-residents, pay the expenses of delegates to library meetings and do all things necessary to promote the interests of the library.

All county library money shall be held by the county treasurer and kept as a separate fund and deposited in the public depositories, and all interest accrued thereon shall be credited to the library fund; provided that the library board may invest any gift, bequest or devise in interest bearing securities. Such treasurer shall pay out library funds for library purposes only upon the warrant of the president of the library board, countersigned by the secretary thereof, and the president and secretary shall issue such warrant only upon itemized vouchers, which shall be accompanied by itemized bills and which shall be certified as to correctness by the chairman of the finance committee of the library board and signed and sworn to by the librarian. The oath required may be administered by the secretary of the board and shall be administered without charge. The treasurer of such county shall be liable on his official bond for the faithful performance of the duties imposed upon him by this Act.

In any county in which there now exists a county library fund, such funds shall become available for library purposes as soon as the library board is organized as above required.

§ 4. Whenever the library board of any public library established in any city or incorporated town of this State shall file a notice with the fiscal court of the county in which such library is located, of consent of such library board to make such library open and free to all the people of such county not already having free library privileges, on the condition of the said county contributing to the support of such

public library, the fiscal court may, and upon petition of twenty-five resident freeholders of each magisterial district of such county not already taxed for public library purposes, shall make an annual appropriation and levy a tax of not less than five-tenths of a mill and not more than one mill on each dollar of taxable property in said county including the property of any city or incorporated town in the county, not already taxed for public library purposes, and the county treasurer shall collect and pay the same to the treasurer of such city or town where such library is located, to be held a part of the library fund and to be paid out in the same manner as other library funds. Said tax shall be continued so long as ten per cent. of the inhabitants of said county outside the limits of said city or town are found to be users of such library, or when less than ten per cent. of the inhabitants shall use the said library, the fiscal court may, at its discretion, continue the tax herein specified.

§ 5. If the fiscal court shall levy a tax for library purposes as provided in Section 4 of this Act and pay the same over to the treasurer of such city or town where such library is located, then the fiscal court shall, within ten days, appoint two persons, one of whom shall be a woman, residing in some part of said county which is contributing a tax for the support of the county library outside the limits of the city or town in which said library is located, not otherwise appointed as members of said public library board, but shall become members of such public library board, and such appointments shall be for a period of two years, and the county superintendent of schools also shall appoint two such members with qualifications as above provided, for a period of one year and three years respectively. The members so appointed shall have the same qualifications and equal authority with other members of the public library board in the levying and expending of all county taxes and in maintaining library services to the inhabitants of the county outside the city in which such library is situated.

§ 6. It shall be the duty of the county library board, as organized under any section of this Act, to determine annually the rate of taxation that shall be necessary to establish, in-

crease, equip and maintain the public library and certify the same to the fiscal court, provided that said levy shall be not less than five-tenths of a mill and not more than one mill on each dollar of all the property assessed for taxation in such county, city, town or magisterial district, as shown by the tax duplicate for the year immediately preceding the fixing of such levy. When the levy for such public library purposes shall be certified to the fiscal court by the county library board the same shall be placed upon the tax duplicate of such county and collected in like manner as other county tax ordered, levied and collected.

§ 7. In any county in this State in which there shall hereafter be established a county library, the library board of any existing public library in any incorporated town or city or of any magisterial district or any combination thereof may, with the consent of the county library board, pay over to the county library board the income from any or all sources, on the condition that such county library board shall have full power in the management thereof, and shall maintain such city, town or magisterial district library as a branch of the county library, and that the inhabitants of such city, town or magisterial district shall have all the privileges of said county library, and that such library shall remain a part of such county library as long as ten per cent. of the inhabitants of such city, town or magisterial district shall be users of the county library through such branch.

§ 8. If the fiscal court or any board contributing to said library shall fail or refuse to levy the library tax provided herein, the members of such court or such board shall become jointly and severally liable for the amount such levy would produce on the assessment of such county if fully collected and the sum shall be recoverable from them in a suit by any taxpayer of such county on behalf of the treasurer thereof and shall be included in the funds of such library in lieu of such tax.

§ 9. All laws and parts of laws in conflict with this Act are hereby repealed.

Mr. Meyers offered the following amendment, viz.:

Amendment No. 1: Amend House Bill No. 225 by striking out the words "counties in this Commonwealth" following the word "to" in the caption and adding in lieu thereof the following words: "all counties in this Commonwealth except such counties as may have therein a city of the first class."

Said amendment was adopted.

Amendment No. 2: Amend House Bill No. 225 by inserting the words "of the classes above enumerated," following the word "State" in line 2, of Section 4.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	J. W. Johnson	B. A. Roth
S. M. Bennett	Henry Kaufman	Dr. Lewis Ryans
Roy J. Cain	Griffin Kelly	Chas. R. Scott
J. F. Carr	Frank Kennard	W. P. Scott
T. L. Caudel	J. M. Knott	E. E. Shannon

A. S. Cooper	Dr. S. D. Laughlin	S. G. Smith
B. L. Cox	Hebron Lawrence	John T. E. Stites
J. S. Cruse	Joseph Lazarus	T. R. Stultz
P. A. Day	Rev. J. A. Lee	John W. Swope
H. N. Dean	Elmer Lusby	John B. Thomas
J. B. Denues	A. J. McCandless	J. Mack Thompson
H. C. Duffy	H. C. McLellen	J. H. Thompson
Dr. T. H. Gamblin	Harry J. Meyers	C. B. Truesdell
B. J. Geohringer	Claude D. Minor	John L. Trumbo
J. W. Geveden	John T. Murphy	J. Wood Vance
A. L. Hamilton	Estill W. Neel	Daniel Vose
Dr. W. L. Haynes	Chas. A. Nelson	J. S. Webb
D. J. Howard	J. L. Richardson	Gladstone Wesley
Adam W. Huff	Sherman Robbins	W. G. Wheeler
Robt. Humphreys	Lee Rogers	W. N. Winn

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Those who voted in the negative were:

Lon Adams	W. M. Boling	R. L. McFarron
L. H. Ballard	W. T. Carner	—5

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 226. An Act relating to free public libraries in cities and towns of the second, third, fourth, fifth, and sixth classes of this Commonwealth.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:.

§ 1. That the governing authority of any city, or board of any incorporated town within this State desiring to establish, increase or maintain a public library in such city or town, open to and for the use and benefits of all inhabitants thereof, may levy a tax annually of not to exceed one mill on each one dollar of all assessed taxable property in such city or town, as shown by the tax assessment for the year immediately preceding the fixing of such levy, which tax shall be placed on the tax bills of such city or town and collected in the same manner as other taxes are levied and collected for city purposes; and such levy shall be certified to the clerk of such city or town.

If the common council of such city, or board of such incorporated town, does not make a levy, as is herein provided, the taxpayers of such city or town are hereby authorized to raise, by popular subscription, for each of the two years immediately following the completion of such subscription, a sum of money equal to the amount that would be derived from a tax levy of two-tenths of a mill on each one dollar of assessed taxable property in such city or town, as shown by the assessment immediately preceding the completion of such subscription and, in that event, it shall be the duty of the common council of such city, or board of such incorporated town, before the expiration of said two years, to make such levy and to continue to make such annually in support of the said public library. Provided, that not more than two per cent. of the entire amount necessary to be subscribed by the taxpayers, as herein provided, shall be subscribed by any one person, firm or corporation of such city or incorporated town.

The amount of money so subscribed, as herein provided, for library purposes, shall be made to fall due and be payable in eight equal quarterly installments. The first installment shall become due and payable on the first Monday of the second month following the date of the completion and filing of such subscription, as hereinafter provided, and one installment shall become due and payable on the first Monday of

each third month thereafter, until all of such subscription is paid. The subscription list, as herein provided, as soon as the same is completed, shall be submitted to the mayor or chief executive of such city or town and he shall examine the same and if in his opinion, any one or more of such subscribers does not have property sufficient to guarantee the collection of his subscription, he shall notify said subscriber to execute bond to the city or town for the faithful performance of his undertaking by reason of such subscription and, in the event said subscriber shall decline to execute said bond within ten days after the giving of said notice, the mayor or chief executive shall mark said subscriber's name off the subscription list and the amount so subscribed by him shall not be considered in determining whether the proper amount has been subscribed, as provided for in this section. The mayor or chief executive shall then determine whether the subscription list complies with the terms of this section and, if in his opinion it does so comply, he shall immediately certify the same to the clerk of said city or town. It shall be the duty of the clerk of said city or town then to certify the same to the collecting officer of such city or town, who shall proceed to collect the subscription installments as they become due under the provisions of this section and, he shall turn the same over to the city treasurer to be placed to the credit of the public library board.

Should any taxpayer of such city or town be dissatisfied with the decision of the mayor or chief executive upon the questions which the mayor or chief executive is required to pass upon by the provisions of this Act, such taxpayer may prosecute an appeal from the decision of the mayor or chief executive to the quarterly court of the county in which said city or town is situated and, said court is hereby authorized to review such finding and, the judgment of the quarterly court shall be final and conclusive as to the questions involved on such appeal.

The appeal shall be taken within the time and in the manner that appeals are now taken from the decisions of a justice's court to the quarterly court.

§ 2. The provisions of this Act shall apply to and govern all of the free public libraries in the cities and towns in this State of the second, third, fourth, fifth and sixth classes from and after July 1, 1920, and as soon as sufficient funds for that purpose shall have been accumulated under the provisions of this Act, augmented by private contributions or otherwise, in any city or town of the classes herein referred to in which there is not already in existence a public library, there shall be established and maintained in such city or town a free public library and the same shall continue as herein provided.

Said free public library shall be under the direction and control of a board of trustees consisting of five members, to be styled, "The Board of Trustees of the Public Library," which board of trustees shall continue, and it is hereby declared a body politic and corporate under said name and style with perpetual succession, and by that name may contract and be contracted with, sue and be sued, have and use a corporate seal, the same to be altered at pleasure or may act without seal; may purchase, receive, lease, hold, sell and dispose of real and personal estate for public library purposes. Said board shall have the custody and control, management and expenditure of all funds that may heretofore have been accumulated for free public library purposes or that may hereafter be accumulated for or devoted to said purposes.

The five members of the board of trustees of the public library shall be appointed by the mayor or chief executive, one for one year, one for two years, one for three years, two for four years and their successors, as said terms shall respectively expire, shall be appointed for four years, and shall be so selected and appointed as never to have more than three members of the same political party, and that at least two members shall be women. The members of the board so appointed by the mayor or chief executive shall be citizens of the city or town and not less than twenty-one years of age, shall serve without compensation, and each member shall take an oath before the mayor or chief executive to faithfully perform his duties. The members of such board shall be ap-

pointed immediately after the tax is levied or the subscriptions have been made and approved by the mayor.

Said board shall have no power to charge any of the real or personal property of said corporation with any debt or liability, and shall at no time expend, in the operation and maintenance of said library, or for any other purpose any money in excess of its annual income and should said board attempt to impose any debt or liability upon the property of said corporation or make any contract for sums of money in excess of its annual income, all such contracts or liabilities shall be void as against the public library board.

§ 3. It shall be the duty of said board to annually estimate the needs of the free public library for the ensuing year and shall prepare a statement of such estimated needs and submit the same to the common council of said city or board of such town and, it shall be the duty of said common council or town board, in making the annual levy for city purposes, to include in its levy the estimated needs, as provided for herein, however, not to exceed in any one year one mill on each one dollar of taxable property within said city or town. The tax herein provided shall be in lieu of all other taxes for public library purposes, and shall be collected by the collector for such city or town and paid into the city treasury and kept separate for public library purposes.

§ 4. The board of trustees may from time to time adopt such rules and regulations for the proper conduct of said library as may appear to be necessary. Said library shall be open and free to the public, under such rules and regulations as the board may prescribe, during reasonable and proper hours. The board of trustees of the public library is hereby authorized to enter into a contract or agreement with the governing board of any private library in such city or town whereby such library, including books, real and personal property, may be transferred or leased to said board for a term of years, or in perpetuity, provided such agreement does not conflict with the limitations heretofore placed upon said board. Said library shall be strictly non-sectarian and non-partisan.

The legislative body of such city or town shall, by proper ordinance, provide penalties and the method of imposing the same for the preservation of the books and property of said free public library and the prevention of trespassing upon the grounds thereof and for the conduct of patrons of said library; and all fines and costs collected for the violation of such ordinance or ordinances shall, when collected, be paid into the city treasury and be credited to the public library fund.

§ 5. In aid of the establishment and maintenance of such library, there is hereby appropriated for its use and benefit one-half of the net amount of all forfeitures, fines and costs collected in the police court of such city or town; and to further aid in the establishment and maintenance of such public library, the common council of the city and fiscal court of the county, either or both, jointly or severally, are hereby authorized and empowered to accept by ordinance, resolution, order or contract (and if necessary, unite with the board of trustees of the public library), any donation that may be offered, or may hereafter be offered by any person, association or corporation and comply with the conditions upon which said donation may be offered and accepted, and make the terms of said contract perpetually binding upon said city and county; and said council of the city and fiscal court of the county shall annually levy such tax as may be necessary to comply with such conditions or terms of the contract and to provide the sums of money agreed therein to be paid annually and perpetually for the maintenance of said public library, and shall cause the same to be collected as and when other taxes are collected and paid promptly to the treasurer of said city or town to be placed to the credit of the library board.

§ 6. If the governing authority of any city or incorporated town shall fail or refuse to levy the library tax provided for herein, the members of such governing board or council shall become jointly and severally liable for the amount such levy would produce if fully collected and the same shall be recoverable from them in suit by any taxpayer of such city or incorporated town on behalf of the treasurer thereof, and shall be included in the funds of such library in lieu of such tax.

§ 7. Section 3210-a, Section 3210-b, Section 3480-a, Section 3604 and all other laws or parts of laws in conflict herewith are hereby repealed.

Mr. Meyers offered the following amendment, viz.:

Amend House Bill No. 226 by inserting the words "of the second, third, fourth, fifth or sixth class" after the word "town" in line 2 of Section 1.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Frank Kennard	W. P. Scott
H. H. Barnes	J. M. Knott	E. E. Shannon
W. M. Boling	Dr. S. D. Laughlin	S. G. Smith
Roy J. Cain	Joseph Lazarus	John T. E. Stites
J. F. Carr	Rev. J. A. Lee	T. R. Stultz
T. L. Caudel	Elmer Lusby	John W. Swope
A. S. Cooper	I. S. Mason	John B. Thomas

B. L. Cox	A. J. McCandless	J. Mack Thompson
J. S. Cruse	H. C. McLellen	J. H. Thompson
P. A. Day	Harry J. Meyers	C. B. Truesdell
H. N. Dean	Claude D. Minor	John L. Trumbo
H. C. Duffy	John T. Murphy	J. Wood Vance
Dr. T. H. Gamblin	Estill W. Neel	Daniel Vose
B. J. Geohringer	Chas. A. Nelson	Geo. C. Waggoner
A. L. Hamilton	T. C. Pryse	J. S. Webb
A. F. Hanberry	J. L. Richardson	Gladstone Wesley
Dr. W. L. Haynes	Sherman Robbins	W. G. Wheeler
D. J. Howard	Lee Rogers	W. N. Winn
Robt. Humphreys	B. A. Roth	Dr. W. S. Yazell
Henry Kaufman	Dr. Lewis Ryans	—61
Griffin Kelly	Chas. R. Scott	

Those who voted in the negative were:

Lon Adams	W. T. Carner	A. M. Wash
L. H. Ballard	J. W. Johnson	—5

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 453. An Act authorizing judges of Circuit Courts, other than courts of continuous session, to change the terms of their courts and repealing all laws in conflict with same.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That, if any regular term of any circuit court as fixed by law, other than courts of continuous session, the regular presiding judge thereof, by order made of record, may change the time for any one or all of the three regular annual terms of the circuit courts to be held thereafter in the respective counties of his judicial district. And all laws or parts of laws in conflict with this Act are hereby repealed.

Mr. Smith offered the following amendment, viz.:

Amend House Bill No. 453 by inserting after the word "district" and before the word "and," in line 5, the following: "Immediately after the adjournment of court at which term any such change is made, the clerk thereof shall advertise the time for the three regular terms of said court as changed, by mailing a printed postal card to the clerks of each of the other circuit courts in the State, who shall keep said cards properly displayed for the information of the public. The clerk shall receive a reasonable sum for the advertising to be allowed by the Court and certified to the State Auditor for payment out of the State Treasury."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	Sherman Robbins
Sidney Alfrey	Henry Kaufman	Dr. Lewis Ryans
W. M. Boling	Griffin Kelly	W. P. Scott
Roy J. Cain	Frank Kennard	E. E. Shannon
W. T. Carner	J. M. Knott	Dr. B. F. Shields
J. F. Carr	Dr. S. D. Laughlin	S. G. Smith
T. L. Caudel	Hebron Lawrence	T. R. Stultz
A. S. Cooper	Joseph Lazarus	John W. Swope
B. L. Cox	Rev. J. A. Lee	J. H. Thompson
J. S. Cruse	I. S. Mason	C. B. Truesdell
J. B. Denues	R. L. McFarron	John L. Trumbo
Dr. T. H. Gamblin	Claude D. Minor	J. Wood Vance
B. J. Geohringer	John T. Murphy	Daniel Vose
J. W. Geveden	Estill W. Neel	A. M. Wash
A. L. Hamilton	Chas. A. Nelson	J. S. Webb
D. J. Howard	T. C. Pryse	Gladstone Wesley
A. R. Hudson	J. L. Richardson	W. N. Winn

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Those who voted in the negative were:

P. A. Day	J. W. Johnson	John T. E. Stites
Dr. W. L. Gossett	Elmer Lusby	J. Mack Thompson
Dr. W. L. Haynes	A. J. McCandless	—10
Robt. Humphreys	Chas. R. Scott	

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 389. An Act to amend Section 1 of an Act entitled, "An Act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies and all boats and other water craft propelled by the use of oil, gasoline or other means;" and being Section 1 of an Act of the General Assembly of January 15, 1916.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of an Act entitled, "An Act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies, and all boats and other water craft propelled by the use of oil, gasoline and other means," be amended by substituting for the period after "dollars," the last word in the last sentence of said section, a colon, and by adding thereto the following provisions: "And every express company, telegraph company and telephone company, steamboat and steamboat company shall furnish reasonably adequate service and facilities and the charges made for any service rendered or to be rendered in the transportation of passengers or property or in the transmission of messages by telephone or telegraph or for any service in connection therewith, shall be just and reasonable, and every unjust and unreasonable charge for such service, and every unreasonable regulation, rule or practice is hereby prohibited and declared to be unlawful," so that said section, as amended, shall read as follows, to-wit:

"The provisions of this Act shall apply to express companies, telephone companies, telegraph companies, steamboats and steamboat companies, and all boats and other water

craft propelled by the use of oil, gasoline or other means, whether incorporated or unincorporated, and doing business in this State in the transportation of goods for hire or compensation between points in this State, or in the receiving or transmission of messages between points in this State, but the provisions of this Act shall not embrace the operation of telephone companies within any city where the rates of toll charged for the transmission of messages may be regulated by local authority; nor shall it embrace any telephone company that is operated only in three or less counties, and has a capital stock of less than two thousand dollars, if incorporated, or if unincorporated, tangible property of less value than two thousand dollars; and every express company, telephone company, telegraph company, steamboats and steamboat company shall furnish reasonably adequate service and facilities and the charges made for any service rendered or to be rendered in the transportation of passengers or property or in the transmission of messages by telephone or telegraph or for any service in connection therewith, shall be just and reasonable and every unjust and unreasonable charge for such service, and every unreasonable rule, regulation or practice is hereby prohibited and declared to be unlawful."

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

The Committee on Railroads offered the following amendment by way of substitute, viz.:

An Act to amend Section 1 of an Act entitled, "An Act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies and natural gas companies and all boats and other water craft propelled by the use of oil, gasoline or other means," and being Section 1 of an Act of the General Assembly of January 15, 1916.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1 of an Act entitled, "An Act prescribing the duties and powers of the Railroad Commission with reference to express companies, steamboats and steamboat companies, telegraph companies and telephone companies, and all boats and other water craft propelled by the use of oil, gasoline and other means," be amended by substituting for the period after "dollars," the last word in the last sentence of said section, a colon, and by adding thereto the following provisions: "And every express company, telegraph company and telephone company, steamboat and steamboat company and natural gas company shall furnish reasonably adequate service and facilities and the charges made for any service rendered or to be rendered in the transportation of passengers or property or in the transmission of messages by telephone or telegraph or of natural gas, or for any service in connection therewith, shall be just and reasonable, and every unjust and unreasonable charge for such service, and every unreasonable regulation, rule or practice is hereby prohibited and declared to be unlawful," so that said section, as amended, shall read as follows, to-wit:

"The provisions of this Act shall apply to express companies, telephone companies, telegraph companies, steamboats and steamboat companies, and natural gas companies, and all boats and other water craft propelled by the use of oil, gasoline or other means, whether incorporated or unincorporated, and doing business in this State in the transportation of goods for hire or compensation between points in this State, or in the receiving or transmission of messages between points in this State, or in the sale and distribution of natural gas in this State, but the provisions of this Act shall not embrace the operation of telephone companies within any city where the rates of toll charged for the transmission of messages may be regulated by local authority; nor shall it embrace any telephone company that is operated only in three or less counties and has a capital stock of less than two thousand dollars, if incorporated, or if unincorporated, tangible property of less value than two thousand dollars; and every express company, telephone company, telegraph company, steamboats and steamboat company and natural gas company

shall furnish reasonably adequate service and facilities and the charges made for any service rendered or to be rendered in the transportation of passengers or property or in the transmission of messages by telephone or telegraph or for any service in connection therewith, shall be just and reasonable and every unjust and unreasonable charge for such service, and every unreasonable rule, regulation or practice is hereby prohibited and declared to be unlawful."

§ 2. This Act shall not apply to a telegraph or telephone line owned or operated by a railroad company.

§ 3. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Nelson offered the following amendment to the substitute, viz.:

Amend substitute to 389 by inserting "or transferring or relating" after the word "transmission," in Section 1.

Said amendment to the substitute was agreed to.

Then the substitute as amended was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by substitute, as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	A. F. Hanberry	B. A. Roth
Sidney Alfrey	Dr. W. L. Haynes	Chas. R. Scott
L. H. Ballard	A. R. Hudson	W. P. Scott
H. H. Barnes	Adam W. Huff	E. E. Shannon
S. M. Bennett	J. W. Johnson	Dr. B. F. Shields
W. M. Boling	Frank Kennard	S. G. Smith
Rodney G. Bryson	J. M. Knott	John T. E. Stites
Roy J. Cain	Dr. S. D. Laughlin	T. R. Stultz
W. T. Carner	Hebron Lawrence	John W. Swope
J. F. Carr	Joseph Lazarus	John B. Thomas
T. L. Caudel	Rev. J. A. Lee	J. H. Thompson
A. S. Cooper	Elmer Lusby	John L. Trumbo
B. L. Cox	A. J. McCandless	Fred C. Vanhoose
J. S. Cruse	H. C. McLellen	Daniel Vose
P. A. Day	Harry J. Meyers	Geo. C. Waggoner
H. N. Dean	John T. Murphy	A. M. Wash
J. B. Denues	Chas. A. Nelson	J. S. Webb
H. C. Duffy	T. C. Pryse	Gladstone Wesley
Dr. T. H. Gamblin	J. L. Richardson	W. G. Wheeler
J. W. Geveden	Sherman Robbins	Dr. W. S. Yazell
A. L. Hamilton	Lee Rogers	—62

Those who voted in the negative were:

J. Mack Thompson —1

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

H. B. 364. An Act to abolish the office of Trustee of the Jury Fund, which shall become operative on and after the first Monday in January, 1922, and to require clerks of the circuit courts of the several districts in this Commonwealth who shall be elected at the regular November election in 1921, to perform thereafter all the duties required by the Trustee of the Jury Fund under the laws of this Commonwealth, and which duties shall become a part of the duties of the office of circuit clerks.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the office of Trustee of the Jury Fund, created by Act of the General Assembly of the Commonwealth of Kentucky of May 6, 1893, Section 2282, Kentucky Statutes (Carroll's Edition) be and the same is hereby abolished, to take effect on the first Monday in January, 1922, or so soon thereafter as the term of the present incumbents of said office shall expire.

§ 2. The duties incumbent on the Trustee of the Jury Fund under the laws of this Commonwealth shall thereafter be performed by the clerks of the circuit courts, and said duties on and after said date shall become a part of the duties of the several clerks of the circuit courts of this Commonwealth, and for performing said duties said circuit clerks shall receive no compensation.

§ 3. The several clerks of the circuit courts of this Commonwealth shall be required to keep all records and make all the reports now required of the Trustees of the Jury Fund, which shall be separate and distinct from the records required to be kept by the clerks of the circuit courts.

Mr. Hamilton offered the following amendment, viz.:

Amendment No. 1. Amend House Bill 364 by inserting in Section 1, in line 4, after the word "abolished" and before

the word "to," "except in counties of this Commonwealth having cities of the second class."

Said amendment was disagreed to.

Mr. Wesley offered the following amendment, viz.:

Amendment No. 2. Amend House Bill 364, Section 2, line 6, by striking therefrom the words "no compensation" and inserting in lieu thereof the following "2 per cent. of the funds so handled."

Said amendment was disagreed to.

Mr. Lee offered the following amendment, viz.:

Amendment No. 3. Amend House Bill 364, Section 2, line 6, strike out "no compensation" and insert "3 per cent."

Said amendment was disagreed to.

Mr. Lawrence offered the following amendment, viz.:

Amendment No. 4. Amend House Bill 364, Section 2, line 6, by striking out therefrom the words "no compensation" and inserting in lieu thereof the following "1 per cent. of funds so handled."

Said amendment was adopted.

Mr. Geveden offered the following amendment, viz.:

Amendment No. 5. Amend House Bill No. 364. The provisions of this Act shall not apply to counties of less than 30,000 population in these counties the circuit clerks shall receive such compensation as now allowed to the present trustee of jury fund.

Mr. Lee moved to table said amendment.

Said motion was lost.

Said amendment was disagreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Dr. T. H. Gamblin	J. L. Richardson
L. H. Ballard	B. J. Geohringer	Lee Rogers
H. H. Barnes	A. F. Hanberry	B. A. Roth
S. M. Bennett	A. R. Hudson	John T. E. Stites
Rodney G. Bryson	Adam W. Huff	John W. Swope
Roy J. Cain	Henry Kaufman	J. H. Thompson
W. T. Carner	Hebron Lawrence	C. B. Truesdell
J. F. Carr	Joseph Lazarus	John L. Trumbo
Charles M. Ciarlo	I. S. Mason	Fred C. Vanhoose
A. S. Cooper	A. J. McCandless	Daniel Vose
B. L. Cox	R. L. McFarron	A. M. Wash
J. S. Cruse	H. C. McLellen	J. S. Webb
H. N. Dean	Estill W. Neel	Gladstone Wesley
J. B. Denues	T. C. Pryse	Dr. W. S. Yazell

—42

Those who voted in the negative were:

Lon Adams	Frank Kennard	W. P. Scott
W. M. Boling	J. M. Knott	E. E. Shannon
P. A. Day	Dr. S. D. Laughlin	S. G. Smith
H. C. Duffy	Rev. J. A. Lee	T. R. Stultz
J. W. Geveden	Elmer Lusby	John B. Thomas
Dr. W. L. Gossett	Harry J. Meyers	J. Mack Thompson
A. L. Hamilton	Claude D. Minor	J. Wood Vance
Dr. W. L. Haynes	John T. Murphy	Geo. C. Waggoner
D. J. Howard	Chas. A. Nelson	W. G. Wheeler
Robt. Humphreys	B. F. Reynolds	W. N. Winn
J. W. Johnson	Sherman Robbins	—34
Griffin Kelly	Chas. R. Scott	

Mr. Murphy made the point of order that the bill carries an appropriation and requires 51 votes for its passage.

The Speaker ruled that the point of order was well taken and that the bill having failed to receive a majority of all the votes in the House had failed to pass.

Mr. Bryson moved that today's session be extended indefinitely.

This motion was agreed to.

Mr. Bryson moved that the House recess today at 12:15 o'clock, p. m., until 1:30 o'clock, p. m.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed House Bill No. 16: "An Act to amend Section 965 Kentucky Statutes, relating to circuit court in the 19th judicial district."

Ordered, that said bill be enrolled.

Also that it had concurred in House Resolution No. 29. "Joint resolution approving suggested plan of co-operation between the State Government and the city of Frankfort, and providing for a commission to be selected by the Governor and the Mayor of said city, authorized to report to the General Assembly of 1922, a measure to carry such plan into effect."

Ordered, that said resolution be enrolled.

Also that the Senate had passed the following Senate bills, viz.:

Senate Bill No. 277. A bill prohibiting owners of chickens, ducks, geese and turkeys from allowing them to trespass on the property of another, and fixing the damages therefor.

Senate Bill No. 51. An Act to amend and re-enact Section 2218 of the Kentucky Statutes, being Section 2218 of an Act entitled "Interest and Usury," enacted by the General Assembly of the Commonwealth of Kentucky, December 3, 1892, regulating the rate of interest.

Senate Bill No. 230. An Act to amend Section 3 of Chapter I of the Acts of the General Assembly of 1916, relating to the granting of free passes or free transportation by the common carriers of this Commonwealth.

Senate Bill No. 164. An Act to prevent the spread of hog cholera and other diseases, regulating the business of disposing of the bodies of dead animals by the process of burying, burning or cooking; providing for the issuance of licenses to persons, firms or corporations, permitting them to follow such business; providing for the inspection of plants where such business is carried on; providing for the violation of any of its provisions.

Senate Bill No. 170. An Act relating to the collection of inheritance tax, requiring certain reports of county court clerks and imposing certain duties upon the State Tax Com-

mission and otherwise designating a method of procedure in the collection of such tax.

Senate Bill No. 298. An Act to amend and re-enact Section 1403 of the Kentucky Statutes, as amended by an Act of 1912.

Senate Bill No. 72. An Act to amend an Act entitled "An Act to establish a Board of Examiners for trained nurses and to regulate the practice of professional trained nursing in the State of Kentucky," approved March 13, 1914, and as amended by an Act approved March 24, 1916.

Senate Bill No. 248. An Act to provide for the condemnation of land by electric light and power companies.

Ordered, that said bills be printed and referred to the Committee on Rules.

Also that the Senate had concurred in House Resolution No. 33. A joint resolution authorizing M. M. Logan to sue the Commonwealth of Kentucky for the value of legal services rendered in a suit instituted by V. O. Gilbert, Superintendent of Public Instruction to determine whether the school fund was entitled to a part of the inheritance tax.

Ordered, that said resolution be enrolled.

Also that the Senate had passed Senate Resolution No. 21. Resolution providing for the printing of copies of the new road law and for the distribution of same.

The House, at 12:14 o'clock, recessed until 1:30 o'clock, P. M.

AFTERNOON SESSION

WEDNESDAY, MARCH 3, 1920

The House reconvened at 1:30 P. M.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

House Bill No. 147. An Act to amend Section 2625 of the Kentucky Statutes of 1915, compiled by the Honorable John D. Carroll.

House Bill No. 150. An Act to repeal Section 3, Chapter CXXXIX, Acts of 1918, and to enact in lieu thereof a new section providing for the distribution of the school fund by the County Board of Education and fixing the minimum salary of teachers.

House Bill No. 122, entitled: An Act to amend Section 186 of the Constitution of the Commonwealth of Kentucky, relating to the distribution and use of the public school fund of the Commonwealth of Kentucky.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Lazarus, of the Committee on Rules, moved that the following bills be read into the calendar.

Said motion was agreed to.

Senate Bill No. 1, entitled: An Act to provide wash rooms in certain employments to protect the health of employees and secure public comfort.

Senate Bill No. 28, entitled: An Act to amend Sections 4, 16, 17, 42-b and 83 of an act entitled, "An Act to provide an elective system of Workmen's Compensation for Industrial Accidents," and known as Chapter XXXIII of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23, 1916, and the same Act as amended by what is known as Chapter CLXXVI of the Acts of the General Assembly of the Commonwealth of Kentucky, for the year 1918, and approved by the Governor March 29, 1918. Said sections as amended, and to be amended by this Act, are known as Sections 4883, 4897, 4898, 4925 and 4968 of Carroll's Statutes, Vol. 3, 1918 Edition.

House Bill No. 534, entitled: An Act relating to roads and bridges in the Commonwealth of Kentucky, and designating centers of construction.

House Bill No. 511, entitled: An Act to permit banks authorized to do business in Kentucky to act as fiduciaries.

House Bill No. 517, entitled: An Act to amend and re-enact Section 26 of Chapter CLXVII of the Acts of 1918, entitled, "An Act to amend and re-enact Section 26 and to repeal Section 27 of Chapter CXXXVII of the Acts of 1912, entitled, 'An Act creating boards of education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith,' approved March 19, 1912."

Senate Bill No. 256, entitled: An Act creating the position of member ex-officio of the board of trustees of the University of Kentucky.

House Bill No. 445, entitled: An Act requiring hotel and innkeepers to keep posted in a conspicuous place in each room under their charge a printed statement showing the price to be charged the guest occupying said room per day and prescribing the penalties for the violation thereof.

House Bill No. 326, entitled: An Act to amend Section 1155, Kentucky Statutes, Carroll's Edition, 1915, relating to unlawful sexual intercourse with minors under eighteen years of age, including both sexes, and grading penalties according to age of complaining witness.

House Bill No. 500, entitled: An Act relating to the taxation of dogs, fixing the fees of the county court clerks of the various counties of the State of Kentucky, for issuing tags to the owners of dogs, and all other duties connected therewith; to fix the fees of county tax commissioners for listing said dogs and making all reports concerning same, and providing for the payment to the Commissioner of Agriculture for the dog tags and license and other material out of the funds collected from the owners of dogs, and the prohibition of the publication of the list of owners of dogs in a newspaper of any kind unless ordered by the fiscal courts of the several counties.

House Bill No. 390, entitled: An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto as to joint rates.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 352. An Act prescribing the duties of the Clerk of the State Fiscal Court, and providing compensation for his services required hereinunder.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in addition to the record books now required by law to be kept by clerks of circuit courts, the Clerk of the Fiscal Court of the Commonwealth, to-wit, the Clerk of the Franklin Circuit Court shall keep a rule and motion docket for fiscal and civil cases of the State, in which it is the duty of the Attorney General to appear for the Commonwealth, separately from other dockets and order books, and shall enter and keep thereon separately from all other business all rules, motions and orders in fiscal causes in said Court, and shall file in suitable boxes all the papers and records of such cases so as to keep same separate from all other business and other records, and readily accessible for examination.

§ 2. That for services required hereunder, the said clerk of said Court shall be entitled to charge and collect from the Commonwealth for its costs incurred the same fees as are now allowed by law for similar services in other civil cases, when such fees have been approved and allowed by the Judge of the Franklin Circuit Court.

§ 3. Upon approval of the Judge of the Franklin Circuit Court, the clerk of said Court shall procure such books as may be needed for the purposes herein named, and same shall be paid for by the Commonwealth as now provided by law for payment of similar books for circuit courts.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	J. M. Knott	W. P. Scott
H. H. Barnes	Dr. S. D. Laughlin	E. E. Shannon
Roy J. Cain	Hebron Lawrence	Dr. B. F. Shields
W. T. Carner	Joseph Lazarus	S. G. Smith
J. F. Carr	I. S. Mason	H. A. Spillman
T. L. Caudel	A. J. McCandless	John T. E. Stites
A. S. Cooper	R. L. McFarron	T. R. Stultz
B. L. Cox	H. C. McLellen	J. Mack Thompson
H. N. Dean	Harry J. Meyers	John L. Trumbo
J. B. Denues	Claude D. Minor	J. Wood Vance
Dr. T. H. Gamblin	John T. Murphy	Fred C. Vanhoose
A. L. Hamilton	Estill W. Neel	Daniel Vose
Dr. W. L. Haynes	Chas. A. Nelson	Geo. C. Waggoner
D. J. Howard	T. C. Pryse	A. M. Wash
Robt. Humphreys	B. F. Reynolds	J. S. Webb
J. W. Johnson	J. L. Richardson	Gladstone Wesley
Henry Kaufman	Sherman Robbins	W. N. Winn
Griffin Kelly	B. A. Roth	Dr. W. S. Yazell
Frank Kennard	Chas. R. Scott	—56

Those who voted in the negative were:

A. R. Hudson —1

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 284. An Act to enable cities of the first class to construct additions and make more perfect their systems for the disposition of sewage, and to amend and re-enact Section 14 of an Act entitled, "An Act to enable cities of the first class to construct an extension to their systems for the disposition of sewage," approved March 18, 1912.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Sewerage Commission. The mayor of any city of the first class may appoint four persons who, with the mayor as a member ex-officio, shall constitute a sewerage commission. Of such appointees two shall be members of the Democratic party and two members of the Republican party. Each appointee shall be at least twenty-five years of age and reside within the city and be the owner in his own right of real estate. No officer or employee of the said city, whether holding a paid or unpaid office, shall be eligible for appointment to the said commission. Such appointees shall be subject to the approval of the board of aldermen. The term of office shall be four years, but if the work herein provided for is sooner completed, such term of office shall expire at such completion. If such work is not completed at the expiration of such term of office, the commission shall be continued by appointments made in the same manner as the original appointment. Vacancies shall be filled for the unexpired term in the same manner as the original appointment.

§ 2. Powers of Commission. The persons appointed as provided in the first section shall constitute a body corporate under the name of the commissioners of sewerage of such city, and shall have capacity to contract and be contracted with, to sue and be sued in that name, and to adopt a seal and alter same at pleasure. Said commission shall elect a chairman from the appointed members. It shall also elect, by a majority vote a chief engineer, not a member of the commission, but such chief engineer shall be removable at the pleasure of a majority of the commission. It shall also, by a majority vote, elect a secretary and treasurer, not a member of the commission, who shall hold the combined office at the pleasure of a majority of the commission. The commission may appoint such clerks, agents or assistants as it may deem expedient, and fix their compensation. The chief engineer shall give his entire attention to the affairs of the commission, and shall receive as compensation a salary to be fixed by the commission, not exceeding five thousand dollars per annum. The appointed members of the commission shall each receive a salary, to be fixed by the general council, not exceeding four thousand dollars per annum for the chairman, and two thousand dollars per annum for each of the others. The secretary and treasurer shall receive a salary, to be fixed by the commission not exceeding thirty-five hundred dollars per annum.

§ 3. Duties of Commission. It shall be the duty of the commission to make a study of the present and ultimate needs of the city having in view the growth of the city and the extension of its boundaries for both sanitary and storm water drainage. After a comprehensive study has been made the commission shall determine what work should be done to improve the different districts of the city and shall detail proposed construction of combined sewers, separate sewers and storm drains and improvements of water courses. To aid in the study, the commission may employ such experts' advice and consulting engineers as it deems wise, and pay such reasonable compensation for their services and expenses as the commission may determine.

§ 4. Bonds to be Executed. The chairman, chief engineer and secretary and treasurer of the commission shall

each give bond, with approved surety, in such sum as may be fixed by the commission, which bond shall be payable to the commission and oblige the makers thereof to perform faithfully the duties of their several offices, and faithfully account for and pay over all money or other thing of value which may come into their several hands.

§ 5. Report of Commission—Adoption or Rejection. When the commission shall have determined the additions to the sewer system which it deems best fitted to meet the needs of the city and has outlined it in as much detail as is practicable, it shall report the same to the mayor with a description of the general plan and its probable cost. The mayor shall lay this report before the general council and the plan recommended by the commission shall be adopted and carried out by the commission, unless the plan recommended by the commission shall, within thirty days after it has been received by the general council, be rejected and disapproved by two-thirds vote of all the members of each board. If the general council rejects the plan recommended by the commission, the council shall return the plan recommended by the commission with their criticism and suggestions. The commission shall thereupon make a further study and thoroughly examine the recommendations of the council and prepare an alternative plan in accordance with what on their further study appears in their judgment to be for the best interest of the city. The commission shall then present the alternative plan to the mayor, to be submitted to the council. At any time within thirty days after the submission of the alternative plan to the mayor, the general council may consider it, and if it shall receive the two-thirds vote of all the members of each board of the general council, each of said boards sitting separately, it shall be adopted, but if it fails to receive the necessary two-thirds vote within the said thirty days, then said commission, with the approval of the mayor, shall have the right to choose a system and carry it out. The general council shall have no power to vary any system proposed and presented by the commission, but must adopt one of those reported in its entirety.

§ 6. Powers of Commission. Said commission shall have power and authority to carry out the purposes of this

Act, among which powers shall be the following, that is to say: First, to make all such preliminary investigations and to do all such preliminary work as should, in its judgment, precede the actual projection, construction and establishment of additions to and making more perfect the system of sewerage. Second, to construct and establish all such local, district, lateral, intercepting, outfall or other sewers and all such conduits, drains and pumping or other plants, and all such buildings, structures, work apparatus or agencies, and to lay all such mains and pipes within the said city or in the county in which said city is located, as it may deem expedient for carrying said system of sewerage projected and adopted into full effect. Third, to incorporate with said sewerage extension or otherwise utilize for the purpose of this Act, so far as it may deem expedient, any or all public sewers or drains, including storm water sewers, drains and water courses, and any and all of their appurtenances, either in their present condition or with such repairs, modifications or changes as said commission may see fit to make, and to enlarge, extend or improve, or to condemn, close up, abolish or destroy in its discretion, any or all such existing public sewers, drains or water courses or to alter their functions or to increase their burdens as it may think best. Fourth. Besides the chief engineer, the commission may appoint or employ such other professional or technical advisers and experts and such agents, assistants, clerks, employees and laborers, skilled or unskilled, of all kinds, as it may deem requisite for the due and proper execution of the duties devolved upon it by this Act, and may fix their respective compensation and remove or discharge them at pleasure and may exact from any of its officers or employees such indemnity bonds for the proper performance of their respective duties as it may deem proper. Fifth. To establish and enforce such reasonable rules and regulations for its own government and for the supervision, protection, management, and conduct of its work as it may deem expedient. Sixth. To make and enter into, in its name, any and all contracts, agreements or stipulations germane to the scope of its duties and powers under this Act. Seventh. To purchase, hire or otherwise obtain the use of all such machinery, tools, imple-

ments, supplies, appliances, materials, and working agencies as it may need for its purposes. Provided, that this enumeration of special powers in the subdivisions of this section shall not be construed as restricting in any degree the scope of the general powers hereinbefore conferred upon the commission.

§ 7. Real Estate—Commission May Acquire—Condemnation of. Said commission may acquire by gift, purchase, or lease, or by condemnation, any land or property situated wholly or partly within the city or within the county in which such city is located or any interest, franchise, easement, right or privilege therein which may be required for the purpose of constructing, establishing, maintaining and operating such sewerage system. The method of condemnation of property shall be the same as that providing for the condemnation for appropriate municipal purposes by cities of the first class.

§ 8. Removal of Obstructions. All individuals or corporations having buildings, structures, works, conduits, mains, pipes, tracts, or other physical obstructions in, over or upon the public streets, lanes, alleys or highways, which shall interfere with or impede the progress of said sewerage system when in process of construction and establishment, shall, upon reasonable notice from said commission, promptly so shift, adjust, accommodate or remove the same, at their own cost and expense, as fully to meet the exigencies occasioning such action, and the general council shall have the full power, by ordinance, to prescribe the penalty for such failure.

§ 9. Contract to Lowest Bidder. All work done, or supplies or material purchased in carrying out the purposes of this Act, when involving an expenditure of five hundred dollars or more, shall be by contract awarded to the lowest and best bidder. All bids or parts of bids for any such work or supplies, may be rejected by said commission. The commission may, however, with the consent of four of the members, itself do any part or parts of its work under such conditions as it may prescribe by day labor, when the chief engineer, in writing, shall recommend that course.

§ 10. Public Ways Restored to Original Condition. And when any portion of said sewerage system shall be complete and ready for active operation, the commission shall restore

the street, alley or other public way through which said completed work extends, to its original condition as near as practicable, and may then notify the board of public works and turn over said completed portion to such board, and the same shall thereafter be under the exclusive control of said board of public works.

§ 11. Bond Issue—Vote Upon. In order to provide money for the projection, construction and establishment of said sewerage system, the general council may adopt an ordinance submitting to the voters of the city, at any regular election held in such city, the question whether bonds of the city shall be issued for the purpose of carrying out the work herein provided for. The ordinance shall provide the date and maturity of such bonds, the rate of interest they shall bear and the total amount to be then issued, and the ordinance shall also contain the necessary details in reference to the execution and delivery of said bonds, their denominations, coupons to be annexed, tax to be levied to pay the interest, and a sinking fund to retire such bonds at maturity. Said ordinance for the submission of the question of issuing bonds to the people may be adopted by the general council either prior or subsequent to the selection of the system to be used in the construction of said sewerage system. The total amount of bonds to be issued under this Act shall not exceed five million dollars.

§ 12. Issue and Sale of Bonds—Disposition of Proceeds. If the voters of the city shall determine that such bonds shall be issued they shall, when so issued, be placed under the control of said commission, who shall determine when and at what price and how they shall be sold. Provided, that no bonds shall be sold for less than par, and provided, further, that any premium which may be obtained from said bonds shall constitute a part of the sinking fund for their ultimate retirement. As the said bonds are sold their proceeds shall go to the credit of the commission, in the same depositories which are selected for the deposit of the funds of the Sinking Fund Commissioners of the city, and upon the same agreement as to interest, and shall be withdrawn only upon the checks of the secretary and treasurer of the commission,

countersigned by the chairman, accompanying a voucher approved by the chief engineer.

§ 13. Disbursements—Power to Borrow Money. All disbursements of the commission, including compensation to its members, or officers, engineers, agents, and others employed by it shall come out of the proceeds of the sale of the said bonds. Provided, however, that the commission shall have the right to borrow enough money to defray the liabilities incurred by it up to the time it shall receive such proceeds, and in the event that the voters of the city shall reject the said ordinance, then the city shall be responsible for the repayment of all money so borrowed, and provided that in the event the said ordinance to be submitted to the people is not adopted by them, then on the first day of January following such rejection, the powers herein granted to the said commission shall cease and said commission shall stand dissolved.

§ 14. Property Vests in City Upon Dissolution of Commission. Upon the dissolution of said commission as provided in Section 13, or upon its dissolution growing out of its completion of the work and the consequent expiration of the term of the members of the commission, all property, real, personal and mixed, franchises, easements, maps, plans, books, and papers, shall, by operation of law, and whether acquired by gift, purchase, condemnation or any other method vest in and become the property of the city, and all money then in the hands of the commission shall be by it turned over to the city to be used first to defray any liabilities which have been incurred by the commission, and second, the balance, if any, to be paid into the hands of the commissioners of the sinking fund of such city, to be used by them as a sinking fund for the bonds hereinbefore provided for.

§ 15. If the issues of bonds for only a part of the five million ($5,000,000) dollars is voted on and made at the first election held under Section 11 of this Act, the general council may pass as many other ordinances and submit to the vote, the question of issuing bonds at as many other regular elections held in the city as it may see fit until bonds to the amount of five million ($5,000,000) dollars are authorized and issued.

If at the time any new issue of bonds is authorized a commission exists under this Act, it and its successors shall continue the work provided for in this Act until it is completed. If no commission exists at the time any bond issue is authorized hereunder, then a new commission may be appointed.

The provisions of this Act shall apply to each new issue of bonds and to each new commission and the continuance of the work of the commission and to the carrying out of the purposes of this Act the same as in the first instance.

§ 16. Act of March 18, 1912, Amended. Section 14 of an Act entitled, "An Act to enable cities of the first class to construct an extension to their systems for the disposition of sewage," approved March 18, 1912, is hereby amended and re-enacted so that the same shall read as follows:

Upon the dissolution of said commission as provided in Section 13, or upon its dissolution growing out of its completion of the work and the consequent expiration of the term of the members of the commission, all property, real, personal and mixed, franchises, easements, maps, plans, books, and papers, shall by operation of law, and whether acquired by gift, purchase, condemnation or any other method, vest in and become the property of the city, and all money then in the hands of the commission shall be by it turned over to the city to be used first to defray any liabilities which have been incurred by the commission, and second, the balance, if any, to be paid into the hands of the commissioners of the sinking fund of such city, to be used by them as a sinking fund for the bonds hereinbefore provided for. Provided, if there shall be established before the dissolution of the commission, a new commission for the construction of additions to, and making more perfect the systems of sewerage, then upon the dissolution of this commission, all property, real, personal and mixed, franchises, easements, maps, plans, books, and papers shall, on its dissolution by operation of law, and whether acquired by gift, purchase, condemnation or any other method, vest in and become the property of said new commission, and all money then in the hands of the former commission shall on its dissolution, be by it turned over to said new commission to be used first, to defray any and all liabilities which have

been incurred by the former commission and second, the balance to be expended in projection, construction and making additions and to perfecting the sewer systems.

§ 17. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	Chas. B. Scott
L. H. Ballard	Henry Kaufman	W. P. Scott
H. H. Barnes	Griffin Kelly	E. E. Shannon
S. M. Bennett	Frank Kennard	Dr. B. F. Shields
W. M. Boling	J. M. Knott	S. G. Smith
Roy J. Cain	Dr. S. D. Laughlin	H. A. Spillman
W. T. Carner	Hebron Lawrence	John T. E. Stites
J. F. Carr	Joseph Lazarus	T. R. Stultz
T. L. Caudel	Rev. J. A. Lee	John W. Swope
A. S. Cooper	Elmer Lusby	John B. Thomas
B. L. Cox	I. S. Mason	J. Mack Thompson
J. S. Cruse	A. J. McCandless	John L. Trumbo
P. A. Day	R. L. McFarron	J. Wood Vance
H. N. Dean	H. C. McLellen	Fred C. Vanhoose
J. B. Denues	Harry J. Meyers	Daniel Vose

Dr. T. H. Gamblin	Claude D. Minor	Geo. C. Waggoner
B. J. Geohringer	John T. Murphy	A. M. Wash
J. W. Geveden	Estill W. Neel	J. S. Webb
A. L. Hamilton	Chas. A. Nelson	Dr. T. R. Welch
A. F. Hanberry	T. C. Pryse	Gladstone Wesley
Dr. W. L. Haynes	B. F. Reynolds	W. N. Winn
D. J. Howard	J. L. Richardson	Dr. W. S. Yazell
A. R. Hudson	Sherman Robbins	—70
Robt. Humphreys	B. A. Roth	

Resolved, That the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 215. An Act to amend and re-enact Section 2980 of the Kentucky Statutes (Carroll's Edition, 1915), relating to revenue and taxation in cities of the first class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2980 of the Kentucky Statutes (Carroll's Edition, 1915), relating to revenue and taxation in cities of the first class be amended by striking therefrom the words, "not exceeding fifty cents on each one hundred dollars of taxable property therein," and inserting in lieu thereof the words "not less than thirty-six (.36) cents on each one hundred ($100) dollars of property assessed for taxation for city purposes," so that said Section 2980 when so amended shall read as follows:

Section 2980. Ad valorem and poll tax and license fee—Council to provide for. Each city shall raise a revenue from ad valorem taxes, and from a tax based on income, licenses and franchises, and to that end the general council of each city is hereby authorized and empowered to provide each year, by ordinance, for the assessment of all real and personal estate within the corporate limits thereof, subject to taxation for State purposes, and may levy an ad valorem tax on the same not exceeding the rate and limits prescribed in the Constitution; and for school purposes, not less than thirty-six (.36) cents on each one hundred ($100) dollars of property assessed for taxation for city purposes; and may impose license fees on stock used for breeding purposes, and on franchises, trades, occupation and professions; and may provide for taxation, for municipal purposes, on personal property, tangible and intangible, based on income, licenses of franchises in lieu of an ad valorem tax thereon: Provided, such general council shall not be authorized to omit the imposition of an ad valorem tax on such property of any steam railroad, street railway, ferry, bridge, gas, water, heating, telephone, telegraph, electric light or electric power company.

Said council shall provide for the collection of all taxes imposed hereunder.

All taxes and license fees shall be levied or imposed by ordinance, and the purpose or purposes for which same are levied or imposed shall be specified therein, and the revenue therefrom shall be expended for no other purposes than that for which it was collected.

All ad valorem taxes shall be collected by the tax receiver, and all license taxes, including all taxes on personal property, tangible and intangible, based on income, license and franchises, in lieu of an ad valorem tax thereon, shall be collected by the secretary and treasurer of the commissioners of the sinking fund: Provided, that all taxes so collected by said secretary and treasurer in lieu of ad valorem taxes on personalty shall be paid by him monthly to the city treasurer, who shall receipt to him therefor, and the said secretary and treasurer shall furnish monthly to the city comptroller a statement showing what persons, firms or corporations have,

during the previous month, paid such taxes, the amount paid by each, and the total amount paid by him to the city treasurer.

Nothing in this section shall be so construed as to deprive the general council of the power hereby granted to it to provide by ordinance in its discretion for the levy and collection of taxes based on income, license and franchise in addition to ad valorem taxes on the property of any of the corporations whose franchise is subject to assessment by the city assessor as set out in Section 3 of this Act, which is Section 1 of Section 2984-a, Kentucky Statutes, as amended by this Act, and the general council shall have power to levy ad valorem taxes on the property and franchises of railroads as assessed and apportioned by the railroad commission and the State board of valuation and assessment; provided, that no corporation, individual, firm or association, which pays an ad valorem tax and a franchise tax shall also be required to pay a license tax.

The Committee to which said bill had been referred offered the following amendment thereto:

By adding after the word "amended" in line 3, the following words: "by striking therefrom the word 'State' where it follows the word 'subject to taxation for' and inserting in lieu thereof the word 'city,' and by striking therefrom the words: 'not exceeding fifty cents on each one hundred dollars of taxable property therein' and inserting in lieu thereof the words 'not less than thirty-six (.36) cents nor more than one ($1.00) dollar on each one hundred ($100) dollars of property assessed for taxation for city purposes;" so that said Section 2980 when so amended shall read as follows:

By striking out the word "State" in the 15th line, and inserting in lieu thereof the word "city."

By inserting after the word "cents" in line 17, the words: "nor more than one ($1.00) dollar."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. M. Knott	E. E. Shannon
L. H. Ballard	Dr. S. D. Laughlin	Dr. B. F. Shields
H. H. Barnes	Hebron Lawrence	S. G. Smith
Roy J. Cain	Joseph Larazus	H. A. Spillman
J. F. Carr	Rev. J. A. Lee	John T. E. Stites
T. L. Caudel	Elmer Lusby	T. R. Stultz
A. S. Cooper	I. S. Mason	John W. Swope
B. L. Cox	A. J. McCandless	C. B. Truesdell
J. S. Cruse	R. L. McFarron	John L. Trumbo
P. A. Day	H. C. McLellen	J. Wood Vance
H. N. Dean	Harry J. Meyers	Fred C. VanHoose
Dr. T. H. Gamblin	Claude D. Minor	Daniel Vose
B. J. Geohringer	John T. Murphy	Geo. C. Waggoner
J. W. Geveden	Estill W. Neel	A. M. Wash
A. F. Hanberry	Chas. A. Nelson	J. S. Webb
Dr. W. L. Haynes	T. C. Pryse	Dr. T. R. Welch
D. J. Howard	J. L. Richardson	Gladstone Wesley
Robt. Humphreys	Sherman Robbins	W. G. Wheeler
J. W. Johnson	B. A. Roth	W. N. Winn
Henry Kaufman	Chas. R. Scott	Dr. W. S. Yazell
Griffin Kelly	W. P. Scott	—62

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 272. An Act requiring the State Tax Commissioner to assess all property belonging to telephone, telegraph, express, turnpike or pipe line companies, both tangible and intangible, and providing for reports and the apportionment of the assessment among the jurisdictions entitled to collect taxes thereon.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§1. All telephone companies, telegraph companies, express companies, turnpike companies and pipe line companies shall make a report to the State Tax Commission as now required by Section 4078a, Kentucky Statutes, which is Chapter CXXVIII of the acts of 1918, on blanks to be prescribed and furnished by the State Tax Commission. The State Tax Commission shall have the sole power to assess the physical or tangible value of all property belonging to such companies, whether owned by corporations, firms, associations or individuals, as well as all the tangible property and what is commonly known as the franchise value. In making the reports, the information shall be such as will enable the State Tax Commission to assess both the tangible and intangible property of such companies, and such assessment may be made at the same time, but the tangible value and intangible value, if any, shall be separately stated. The total assessed valuation of such property, including the franchise value,

shall be equalized with the assessed valuation of similar classes of property throughout the State and shall be apportioned to the various taxing jurisdictions of the State in the manner provided by Section 4081, Kentucky Statutes. The value of the tangible property in each taxing jurisdiction shall be separately determined and certified to the jurisdiction where the property is subject to taxation for local purposes. All powers and duties in relation to the assessment of such companies is hereby transferred to the State Tax Commission, and any such company, failing to make reports as prescribed and at the time required by law, and to pay its taxes as is by the law provided, shall be guilty of a misdemeanor and subject to the penalties prescribed against other similar corporations for like offenses, and particularly the penalties prescribed in Sections 4085 and 4091, Kentucky Statutes.

§2. All laws in conflict herewith are hereby repealed.

Mr. Neel offered the following amendment:

Add to Section 1: "Provided, that this Act shall not apply to telephone and telegraph lines owned or operated by railroad companies."

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Griffin Kelly	W. P. Scott
L. H. Ballard	Frank Kennard	E. E. Shannon
H. H. Barnes	J. M. Knott	Dr. B. F. Shields
W. M. Boling	Dr. S. D. Laughlin	S. G. Smith
Rodney G. Bryson	Hebron Lawrence	John T. E. Stites
Roy J. Cain	Joseph Lazarus	T. R. Stultz
W. T. Carner	Elmer Lusby	John W. Swope
J. F. Carr	I. S. Mason	John B. Thomas
T. L. Caudel	A. J. McCandless	C. B. Truesdell
A. S. Cooper	R. L. McFarron	John L. Trumbo
B. L. Cox	H. C. McLellen	J. Wood Vance
H. N. Dean	Harry J. Meyers	Fred C. VanHoose
H. C. Duffy	Claude D. Minor	Daniel Vose
Dr. T. H. Gamblin	John T. Murphy	Geo. C. Waggoner
B. J. Geohringer	Estill W. Neel	A. M. Wash
J. W. Geveden	T. C. Pryse	J. S. Webb
Dr. W. L. Gossett	J. L. Richardson	Dr. T. R. Welch
A. F. Hanberry	Sherman Robbins	Gladstone Wesley
Dr. W. L. Haynes	B. A. Roth	W. G. Wheeler
J. W. Johnson	Dr. Lewis Ryans	W. N. Winn
Henry Kaufman	Chas. R. Scott	Dr. W. S. Yazell

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Those who voted in the negative were:

A. L. Hamilton —1

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 289. An Act providing for the working of prisoners in cities of the first class committed under order or judgment of the Police Court to the City Workhouse, or the County Jail, or other penal institutions.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§1. That hereafter any person who may be adjudged by the Police Court or any city of the first class, guilty of having violated any city ordinance, or of having committed any misdemeanor, and who, by said court, is committed to the City Workhouse or County Jail, or other penal institutions, to satisfy a judgment for fine or imprisonment, or for both, shall be compelled to perform labor for the benefit of the city, in or out of said Workhouse, or County Jail, or other penal institutions, to which committed, during the term of his imprisonment or until his fine is satisfied at the rate of one ($1.00) dollar per day.

§2. That hereafter any person who may be committed by the Police Court of any city of the first class, to the City Workhouse, or the County Jail, or any other penal institution, because of any default in the execution of any bond to keep the peace or for good behavior, shall be compelled during the period of such default, to perform labor for the city, in or out of said Workhouse, or County Jail, or other penal institution to which committed.

§3. The character of such labor shall be prescribed and determined by the Board of Public Safety of the city, under the supervision of which board said labor shall be performed.

§4. That in the event any section or provision of this Act shall be held to be invalid, no other section or provision hereof shall be thereby effected.

§5. That all acts, and parts of acts, inconsistent, or in conflict, herewith, are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	Chas. R. Scott
L. H. Ballard	Henry Kaufman	W. P. Scott
S. M. Bennett	Griffin Kelly	E. E. Shannon
Rodney G. Bryson	Frank Kennard	Dr. B. F. Shields
Roy J. Cain	J. M. Knott	S. G. Smith
W. T. Carner	Dr. S. D. Laughlin	H. A. Spillman
J. F. Carr	Hebron Lawrence	John T. E. Stites
T. L. Caudel	Joseph Lazarus	T. R. Stultz
A. S. Cooper	Rev. J. A. Lee	John W. Swope
B. L. Cox	Elmer Lusby	J. Mack Thompson
J. S. Cruse	I. S. Mason	J. H. Thompson
P. A. Day	A. J. McCandless	C. B. Truesdell
H. N. Dean	H. C. McLellen	John L. Trumbo
J. B. Denues	Harry J. Meyers	J. Wood Vance
H. C. Duffy	Claude D. Minor	Fred C. VanHoose
Dr. T. H. Gamblin	John T. Murphy	Daniel Vose
B. J. Geohringer	Estill W. Neel	A. M. Wash
J. W. Geveden	Chas. A. Nelson	J. S. Webb

Dr. W. L. Gossett	T. C. Pryse	Dr. T. R. Welch
A. L. Hamilton	J. L. Richardson	Gladstone Wesley
A. F. Hanberry	Sherman Robbins	W. G. Wheeler
D. J. Howard	B. A. Roth	W. N. Winn
Robt. Humphreys	Dr. Lewis Ryans	—68

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 255. An Act to amend Sections 167, 171 and 174 of Kentucky Statutes, Carroll's Edition, 1915, relating to bastardy.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Section 167 of Kentucky Statutes, Carroll's Edition, 1915, is hereby amended so that as amended it shall read as follows:

"Section 167. Any unmarried woman who is pregnant and whose pregnancy is established by the certificate of a duly licensed physician, or any woman who has been delivered of a bastard child, may go before the clerk of the county court of the county wherein she resides or wherein she has been delivered of a bastard child and accuse any male person of being the father of her child. The clerk shall examine such pregnant woman or such mother of a bastard child, under oath, concerning her place of residence, her marriage or single condition, when the child was begotten, and where and when she was delivered of the child if already born; and, if

she was delivered of the child outside of the Commonwealth, he shall examine her concerning the reason therefor, and shall reduce her statement to writing and sign the same as clerk. If, however, the clerk fail to reduce her statement to writing or if the written statement should be lost, such failure or loss shall be no cause of dismissing the warrant."

§ 2. Section 171 of Kentucky Statutes, Carroll's Edition, 1915, is hereby amended so that as amended it shall read as follows:

"Section 171. If the accused shall fail to appear, the trial or other proceedings in the cause shall, nevertheless, proceed as though he were present; and the court shall, upon the verdict of the jury make all such orders as it shall deem proper, precisely as though the accused were in court, or make all such orders as it shall deem proper to carry out the provisions of the preceding section, should the surety or sureties avail himself or themselves of the provisions thereof. In the case of a pregnant woman the court may, in its discretion, continue the proceedings until after the birth of the child."

§ 3. Section 174 of Kentucky Statutes, Carroll's Edition, 1915, is hereby amended so that as amended it shall read as follows:

"Section 174. If the finding of the jury be against the accused, they shall find what sum he shall pay for expenses in connection with the woman's pregnancy and confinement, and they shall also find what sum he shall pay per year until the child dies or becomes sixteen years of age; and the court in rendering judgment thereon shall make an order for this annual payment in such installments as shall seem best, and shall also make such order for the keeping, maintenance, and education of the child as may be deemed proper. In case of forfeiture and judgment thereon, should the surety or sureties fail or refuse to avail himself or themselves of the provisions hereof, the money collected upon the judgment upon the forfeiture, after payment of the costs and fifteen per cent to the county attorney, shall be applied in payment of the judgment against the accused; and if any balance remain aft-

er the payment of said judgment, it shall be paid to the custodian of the public money."

§ 4. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

S. M. Bennett	Henry Kaufman	E. E. Shannon
W. M. Boling	Griffin Kelly	Dr. B. F. Shields
Rodney G. Bryson	Frank Kennard	S. G. Smith
Roy J. Cain	J. M. Knott	H. A. Spillman
W. T. Carner	Dr. S. D. Laughlin	T. R. Stultz
J. F. Carr	Hebron Lawrence	John W. Swope
T. L. Caudel	Joseph Lazarus	John B. Thomas
A. S. Cooper	I. S. Mason	J. Mack Thompson
B. L. Cox	A. J. McCandless	J. H. Thompson
J. S. Cruse	R. L. McFarron	C. B. Truesdell
P. A. Day	Harry J. Meyers	John L. Trumbo
H. N. Dean	Claude D. Minor	Fred C. VanHoose
J. B. Denues	John T. Murphy	Daniel Vose
Dr. T. H. Gamblin	Estill W. Neel	Geo. C. Waggoner
B. J. Geohringer	Chas. A. Nelson	A. M. Wash
Dr. W. L. Gossett	B. F. Reynolds	J. S. Webb

A. F. Hanberry	J. L. Richardson	Dr. T. R. Welch
Dr. W. L. Haynes	Sherman Robbins	Gladstone Wesley
D. J. Howard	B. A. Roth	W. G. Wheeler
A. R. Hudson	Dr. Lewis Ryans	W. N. Winn
Adam W. Huff	Chas. R. Scott	Dr. W. S. Yazell
Robt. Humphreys	W. P. Scott	—65

Those who voted in the negative were:

Lon Adams	H. C. Duffy	J. W. Johnson
		—3

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 257. An Act to repeal Chapter LXXXIV of Kentucky Statutes, Carroll's Edition, 1915, being Sections 2591 to 2610 inclusive of said edition, Article 1, of said Chapter relating to Master and Apprentice and Article 2 to Master and Servant.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter LXXXIV of Kentucky Statutes, Carroll's Edition, 1915, being Sections 2591 to 2610 inclusive of said edition, Article 1 of said Chapter relating to Master and Apprentice and Article 2 to Master and Servant, be and the same is hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	Frank Kennard	W. P. Scott
Rodney G. Bryson	Dr. S. D. Laughlin	Dr. B. F. Shields
Roy J. Cain	Hebron Lawrence	S. G. Smith
W. T. Carner	Joseph Lazarus	T. R. Stultz
J. F. Carr	Rev. J. A. Lee	John W. Swope
T. L. Caudel	I. S. Mason	John B. Thomas
A. S. Cooper	A. J. McCandless	J. Mack Thompson
B. L. Cox	R. L. McFarron	J. H. Thompson
J. S. Cruse	H. C. McLellen	C. B. Truesdell
P. A. Day	Harry J. Meyers	John L. Trumbo
J. B. Denues	John T. Murphy	Fred C. Vanhoose
Dr. T. H. Gamblin	Estill W. Neel	Daniel Vose
B. J. Geohringer	Chas. A. Nelson	A. M. Wash
Dr. W. L. Gossett	B. F. Reynolds	J. S. Webb
A. F. Hanberry	J. L. Richardson	Dr. T. R. Welch
Dr. W. L. Haynes	Sherman Robbins	Gladstone Wesley
Adam W. Huff	Lee Rogers	W. G. Wheeler
Robt. Humphreys	B. A. Roth	W. N. Winn
J. W. Johnson	Dr. Lewis Ryans	Dr. W. S. Yazell
Griffin Kelly	Chas. R. Scott	—59

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills were sent to the Senate:

House Bills Nos. 415, 226 and 225.

On motion of Mr. Lazarus, the House ordered that the substitute to House Bill No. 6 be printed and laid on the desks of the members.

Mr. Lazarus moved the House to take up for consideration House Bill No. 175.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill 175. An Act to amend and re-enact Sections 4, 5, 7, 11, 13 be amended by repealing and inserting such words that such sections as amended and re-enacted shall read as follows:

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 4 as amended: "The salary of the secretary shall be fixed by the board and shall not be less than one hundred dollars nor more than eighteen hundred dollars per annum."

Section 5 as amended: "All applicants for registration shall furnish satisfactory evidence that he or she is at least twenty-one years of age and has been graduated from a school for nurses connected with special hospital or infirmary, affiliated with a general hospital or infirmary, or infirmary or

general hospital, approved by said board, and all persons registered under the provisions of this Act, shall pay to said treasurer of said board a registration fee of ten dollars, which shall accompany the application, and shall annually thereafter pay to said treasurer a license feed of two dollars; failure to pay after six months shall forfeit their registration certificate and can only be reinstated by passing State Board examination and paying registration fee, all of which shall be covered into the State treasury."

Repeal latter clause of Section 5, beginning with "Said board is given full power . . ., etc."

Section E, repeal.

Section 11: "That this act shall not be construed to interfere in any way with religious institutions, which have charge of hospitals and as such take care of the sick, in their homes or institutions, and that said board is hereby authorized to issue certificates of registration, without examination upon presentation of proper application and payment of fee of ten dollars; to nurses in such institutions who have been engaged in nursing in any such institution in this State for a period of ten years prior to January, 1920, this Act shall . . ."

Section 13 as amended: "Any person who shall practice as a trained nurse, or in any way represent himself or herself as a trained or registered nurse in this State without holding a certificate of registration with proper licenses attached, as herein provided . . ."

The Committee to which said bill had been referred offered the following amendment by way of substitute:

An Act to amend an Act entitled, "An Act to establish a Board of Examiners for Trained Nurses, and to regulate the practice of professional trained nursing in the State of Kentucky," approved March 13, 1914, and as amended by an Act approved March 24, 1916.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an Act entitled, "An Act to establish a Board of Examiners for Trained Nurses, and to regulate the practice of professional trained nursing in the State of Kentucky," which was approved March 13, 1914, and as amended by an Act approved March 24, 1916, be, and the same is, amended as follows, and re-enacted with said amendments.

§ 2. That Section 4 be amended by striking from line 3 of said Section the word "twelve" and inserting in lieu thereof the word "eighteen," so that when thus amended said Section will read as follows:

The salary of the secretary shall be fixed by the board, and shall not be less than one hundred dollars nor more than eighteen hundred dollars per annum. The other members of the board shall receive five dollars per day for each day actually engaged in attendance upon the meetings of said board; and the expenses incurred in going to and coming from the place of meetings, and inspection of training schools for nurses, and all legitimate and necessary expenses incurred in performance of duties. All expenses of the board, including all salaries and compensation, shall be paid from the fees received by said board by the State Treasurer upon monthly itemized statements of salaries and expenses submitted to the State Auditor out of said fund exclusively. A report of all receipts and expenditures shall be made to the Governor on or about December 15th of each year after the passage of this Act. All moneys and receipts of such board shall be kept in a special fund by and for the use of said board exclusively by the Treasurer of the Commonwealth of Kentucky.

§ 3. Amend Section 5 of said Act as amended (a) by striking the word "twenty-two" from the first line of said Section, on page 584, printed Acts, and inserting in lieu thereof the word "twenty-one"; (b) by striking out the first word "or" from line 4, on page 584 of printed Act, and inserting in lieu thereof the words "affiliated with an," and by

inserting after the last word hospital, in line 4, on page 584, printed Acts, a comma, and the words "or infirmary or general hospital approved by said board."

(c) By striking from line 15 of said Section, as printed on page 584 of said Act, the words "one dollar," and inserting in lieu thereof the following: "Two dollars, failure to pay which within a period of six months shall operate to forfeit such registration certificate, and in case of forfeiture, reinstatement can be had only by passing State Board examination, and paying original registration fee."

(d) By striking from Section 5 all the following words: "Said board is given full power to determine whether any nurse permitted to register under the provisions of Sub-Section 7 of Section 3727a, Kentucky Statutes, without examination on or before August 1, 1914, had a good and sufficient reason for not being able to register on or prior to said date, and if said board finds that any nurse was entitled to registration without examination on or prior to said date was prevented from so registering by reason of any matter or thing over which said nurse had no control, said board shall register such nurse the same as if he or she had applied in the time required by said section," and inserting in lieu thereof the following: "Said board is hereby authorized to issue certificates of registration without examination upon presentation of proper application, diploma and fee of ten dollars to nurses who have been in this State for a period of ten years, and who have had ten years actual experience as nurses in hospitals or infirmaries directly connected with religious institutions for a period of ten years prior to January 1, 1920, provided such application be made to said board on or before January 1, 1921," so that said section, as amended, shall read as follows:

Section 5. It shall be the duty of the board to meet for the purpose of holding examinations not less than once in each year at such time and such place as they may determine, and the board may adopt rules for its government and examination of applicants for registration in accordance with the provisions of this Act. Notices of the meetings of said board

shall be published in two newspapers of general circulation and in at least one journal devoted to the interests of professional nursing, and after applications are received, notices by mail to every applicant and to every reputable training school in this State at least thirty days prior to the meeting. At such meeting it shall be the duty of said board to examine all applicants for registration under the provisions of this Act as are required to be examined, and to issue to each duly qualified applicant which shall have complied with the provisions of this Act and passed such examination a certificate of registration. Any person to whom a certificate of registration shall be issued shall, within thirty days thereafter, cause the same to be recorded with the county court clerk of the county in which such person resides at the time of application, and such person shall be prepared, whenever requested, to exhibit such certificate or certified copy thereof. Registered nurses changing residence in this State must present a certificate of registration to the county clerk of their new residence within thirty days of the time of establishing such new residence. All applicants for registration shall furnish satisfactory evidence that he or she is at least 21 years of age, of good moral character, and has been graduated from a school for nurses connected with a special hospital affiliated with an infirmary or general hospital, or infirmary or general hospital approved by said board, where a systematic course of at least three years' instruction is given, and such applicant shall produce satisfactory evidence that he or she had at least one year's training in a high school or some school equivalent to a high school, except in cases hereinafter provided for, and all persons registered under the provisions of this Act shall pay the treasurer of said board a registration fee of $10, which shall accompany the application, and shall annually thereafter pay to said treasurer a renewal fee of $2, failure to pay which within a period of six months shall operate to forfeit such registration certificate, and in case of forfeiture, reinstatement can be had only by passing State Board examination and paying the original registration fee. Said board is hereby authorized to issue

certificates of registration without examination upon presentation of proper application, diploma and the registration fee of $10, to nurses who have been in this State for a period of ten years prior to January 1, 1920, and who have had ten years' actual experience as nurses in hospitals or infirmaries directly connected with religious institutions for a period of ten years continuously, provided such application be made to said board on or before January 1, 1921.

§ 4. By striking from said Act all of Section 7 thereof, which said section shall stand repealed and held for naught.

§ 5. This Act to take effect upon its passage in due course of law.

Dr. Yazell, of the Committee on Public Health, offered the following amendment to the substitute:

Amend substitute for House Bill No. 175 in the House by adding after the numerals (1921) in line 75, on page 4, of the printed bill, the following words:

The said Board shall have full discretion to determine whether any hospital or infirmary, with which applicants must have been connected, meets the requirements of this Act, and if said Board is of the opinion that any such hospital or infirmary does not furnish the proper training or instruction to applicants having been connected therewith, the Board may refuse to register such applicants.

Any certificate issued in another State under the laws of such State requiring registration which may be obtained in such State under like or similar standard to that required in this State shall be recognized by said Board as valid in this State, provided the certificates of registration issued in this State are recognized in such other State, and any nurse holding such certificate from another State may be registered in this State without examination upon the payment of a fee of $10.00.

Said amendment to the substitute was adopted.

Then the substitute as amended was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	A. R. Hudson	W. P. Scott
L. H. Ballard	Robt. Humphreys	E. E. Shannon
H. H. Barnes	Henry Kaufman	Dr. B. F. Shields
S. M. Bennett	Griffin Kelly	S. G. Smith
W. M. Boling	J. M. Knott	H. A. Spillman
Rodney G. Bryson	Hebron Lawrence	John T. E. Stites
T. L. Caudel	Joseph Lazarus	T. R. Stultz
Charles M. Ciarlo	Elmer Lusby	John W. Swope
B. L. Cox	I. S. Mason	C. B. Truesdell
J. S. Cruse	A. J. McCandless	John L. Trumbo
P. A. Day	R. L. McFarron	J. Wood Vance
J. B. Denues	Harry J. Meyers	Daniel Vose
H. C. Duffy	Estill W. Neel	A. M. Wash
Dr. T. H. Gamblin	T. C. Pryse	J. S. Webb
B. J. Geohringer	B. F. Reynolds	Dr. T. R. Welch
Dr. W. L. Gossett	Sherman Robbins	Gladstone Wesley
A. L. Hamilton	Lee Rogers	W. N. Winn

A. F. Hanberry	B. A. Roth	Dr. W. S. Yazell
Dr. W. L. Haynes	Dr. Lewis Ryans	—58
D. J. Howard	Chas. R. Scott	

Those who voted in the negative were:

Lon Adams	Frank Kennard	J. L. Richardson
Roy J. Cain	Dr. S. D. Laughlin	J. Mack Thompson
J. F. Carr	John T. Murphy	—10
J. W. Johnson	Chas. A. Nelson	

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 391. An Act to amend and re-enact Sections 929 and 934 of Carroll's Kentucky Statutes, Edition of 1915.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 929 and 934 of Carroll's Kentucky Statutes, Edition of 1915, be amended and re-enacted so that said sections when so amended and re-enacted shall read as follows:

Section 929—Said officer shall be appointed by the Fiscal Court of the county under the following terms and conditions:

Not less than ten days nor more than thirty days before the date provided herein for the election of such treasurer the Fiscal Court shall advertise in such newspapers published

in the county as may be entitled to publish notices of sheriff's sales for taxes, and other public notices, or by posting eight written notices in public places in the county, the fact that said court will elect a county treasurer on the date provided by law, the date and place of such election to be set out in such advertisements, and the further fact that persons desiring to be elected to such office shall file with said court, on or before the date provided for such election, sealed bids setting out the terms and conditions under which they will accept such appointment. On the date provided for such election said court shall open and examine all bids submitted and shall elect as such treasurer that person whose bid is regarded by said court as being the lowest and best bid, provided the person making such bid possesses the other qualifications required herein.

Said appointment to be made on the first day of the regular April term, one thousand nine hundred and thirteen, of said court held for the county, and on said day every four years thereafter, a majority of said court being present, and a majority of all the members of said court shall be necessary to appoint; if, for any cause, said appointment is not made on that day, it shall be the duty of the County Judge to call the members of said court together for that purpose, on a day to be fixed by order entered of record on the order book of the court, not exceeding two weeks thereafter. If, however, the regular term of court has expired on the day fixed, the County Judge shall hold a special term of the Fiscal Court for the appointment of said treasurer. Copies of the order shall be delivered by the County Clerk to the sheriff, who shall serve the same on each member of the court. No person shall be appointed county treasurer unless, at the time of his appointment, he is a citizen of Kentucky, has attained the age of twenty-five years, and has been for four years next preceding his appointment a resident of the county for which he is chosen. But no member of the Fiscal Court shall be appointed county treasurer. He shall hold his office for the term of four years from the first day of the regular April term of the Fiscal Court at which he is appointed, and until his successor is appointed and qualified. Before entering

upon his duties as treasurer, he shall take the oath of office prescribed by Section 228 of the Constitution, before the Fiscal Court, and execute the bond hereinafter required to be executed by him. The Fiscal Court may remove said officer from office at any time for cause. In case of a vacancy in said office, from any cause whatever, it shall be the duty of the County Judge to call the members of the Fiscal Court together, and hold a special term thereof to fill the vacancy. In case of failure or refusal of the County Judge to perform any of the duties herein required of him, he shall be guilty of a misdemeanor, and, on conviction, shall be fined not exceeding one hundred dollars, and on said failure or refusal of the County Judge, any three of the members of said court may convene the court, elect one of their body to preside, and appoint a treasurer in the manner herein provided.

Section 934. The treasurer shall receive for his services the compensation named in his bid, and if no compensation is asked in such bid then the terms of the bid shall define the mutual obligations of the treasurer and the Fiscal Court. Provided, however, that in counties containing a population of two hundred thousand or more the salary of the treasurer shall be thirty-six hundred dollars per annum to be allowed by the Fiscal Court, and, provided further, that the provisions in this Act shall not apply to counties containing a city of the first or second class, except as set out in this section.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	J. W. Johnson	B. A. Roth
L. H. Ballard	Henry Kaufman	Dr. Lewis Ryans
H. H. Barnes	Frank Kennard	W. P. Scott
S. M. Bennett	J. M. Knott	E. E. Shannon
W. M. Boling	Dr. S. D. Laughlin	Dr. B. F. Shields
Roy J. Cain	Hebron Lawrence	S. G. Smith
W. T. Carner	Joseph Lazarus	H. A. Spillman
J. F. Carr	Rev. J. A. Lee	T. R. Stultz
T. L. Caudel	Elmer Lusby	John W. Swope
B. L. Cox	I. S. Mason	John L. Trumbo
J. S. Cruse	A. J. McCandless	J. Wood Vance
H. N. Dean	H. C. McLellen	Fred C. VanHoose
J. B. Denues	Harry J. Meyers	Daniel Vose
H. C. Duffy	Claude D. Minor	Geo. C. Waggoner
Dr. T. H. Gamblin	John T. Murphy	A. M. Wash
B. J. Geohringer	Estill W. Neel	Dr. T. R. Welch
J. W. Geveden	Chas. A. Nelson	Gladstone Wesley
A. L. Hamilton	J. L. Richardson	W. N. Winn
A. F. Hanberry	Sherman Robbins	—58
A. R. Hudson	Lee Rogers	

Those who voted in the negative were:

Lon Adams	John T. E. Stites	J. Mack Thompson
Dr. W. L. Gossett		—4

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 142. An Act to appropriate money to purchase ground to straighten the State line and beautify the approach to the Capitol.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sum of $50,000 or so much thereof as may be necessary is hereby appropriated out of the general revenue of the Commonwealth, to be expended for the purpose of purchasing additional grounds to straighten the State line and beautify the approach to the Capitol.

§ 2. Such sum of money shall be set apart by the Auditor of Public Accounts and the Treasurer out of the general revenue. Said sum or any part thereof shall be paid out by the Treasurer upon the order of the Board of Sinking Fund Commissioners when such order is signed by the chairman and secretary. The Board of Sinking Fund Commissioners shall have the power to acquire such additional ground as they may deem proper by purchase at a fair and reasonable price, not to exceed the sum herein appropriated.

§ 3. The Board of Sinking Fund Commissioners shall cause to be kept by its secretary a true and complete record of all money paid out by him, for what purpose and under whose order and discretion. Monthly statements shall be made to the Governor by the said secretary and a full and complete report shall be made to the General Assembly, regular or extra session.

§ 4. The commissioners will file with the Governor an itemized statement of their acts under this law and any money unexpended shall be conveyed to the general fund in the treasury.

Mr. Wash offered the following amendment:

Amend House Bill No. 142 by adding Section 5, which shall read as follows:

§ 5. Provided that this Act shall be void and of no effect after the year 1922.

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Griffin Kelly	E. E. Shannon
H. H. Barnes	Dr. S. D. Laughlin.	Dr. B. F. Shields
Jo F. Bosworth	Hebron Lawrence	H. A. Spillman
W. T. Carner	Harry J. Meyers	T. R. Stultz
A. S. Cooper	Claude D. Minor	John B. Thomas
B. L. Cox	John T. Murphy	C. B. Truesdell
J. S. Cruse	Estill W. Neel	J. Wood Vance
P. A. Day	Chas. A. Nelson	Fred C. VanHoose
Dr. T. H. Gamblin	T. C. Pryse	Geo. C. Waggoner
Dr. W. L. Gossett	B. F. Reynolds	A. M. Wash
A. F. Hanberry	J. L. Richardson	Dr. T. R. Welch
Dr. W. L. Haynes	Sherman Robbins	W. G. Wheeler
D. J. Howard	Dr. Lewis Ryans	W. N. Winn
Robt. Humphreys	Chas. R. Scott	Dr. W. S. Yazell
J. W. Johnson	W. P. Scott	—44

Those who voted in the negative were:

Lon Adams	A. R. Hudson	B. A. Roth
L. H. Ballard	Adam W. Huff	S. G. Smith
S. M. Bennett	Henry Kaufman	John T. E. Stites
W. M. Boling	Frank Kennard	John W. Swope
Rodney G. Bryson	J. M. Knott	J. Mack Thompson
Roy J. Cain	Joseph Lazarus	J. H. Thompson
J. F. Carr	Rev. J. A. Lee	John L. Trumbo
T. L. Caudel	Elmer Lusby	Daniel Vose
Charles M. Ciarlo	I. S. Mason	J. S. Webb
J. B. Denues	A. J. McCandless	Gladstone Wesley
H. C. Duffy	H. C. McLellen	—34
B. J. Geohringer	Lee Rogers	

The Speaker announced that he was in doubt as to whether said bill had passed.

He said if the bill carries an appropriation, as he is inclined to believe, it will require 51 votes to pass the bill.

Mr. Lazarus moved to reconsider the vote by which the bill was lost, and that that motion lie on the table.

The Speaker ruled that this motion was out of order, and that he would later announce his decision as to whether or not the bill had passed.

Mr. Meyers, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 346. An Act to amend and re-enact Section 911 of the Kentucky Statutes, Carroll's Edition of 1915, relating to official indexers.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 911 of the Kentucky Statutes, Carroll's Edition 1915, be, and the same is hereby amended and re-enacted so that when amended and re-enacted, the same shall read as follows:

"The official indexer appointed as aforesaid shall receive for his services a sum fixed by the judges appointing and confirming him, not exceeding the constitutional limitation, and said indexer may appoint his own assistants subject to the approval of the county judge, but their compensation shall be fixed by the official indexer with the approval of the county judge and such compensation shall be paid as the salary of the county judge is paid: Provided, however, that at no time shall the total expense annually, under this act, exceed the sum of $12,500.00. This shall apply only to counties having cities of the first class."

Ordered, that said bill be read the third time.

Mr. Meyers moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	B. A. Roth
Sidney Alfrey	Griffin Kelly	Dr. Lewis Ryans
L. H. Ballard	Frank Kennard	Chas. R. Scott

H. H. Barnes	Dr. S. D. Laughlin	W. P. Scott
S. M. Bennett	Hebron Lawrence	E. E. Shannon
Roy J. Cain	Joseph Lazarus	Dr. B. F. Shields
J. F. Carr	I. S. Mason	S. G. Smith
T. L. Caudel	A. J. McCandless	John T. E. Stites
Charles M. Ciarlo	R. L. McFarron	T. R. Stultz
A. S. Cooper	H. C. McLellen	John W. Swope
B. L. Cox	Harry J. Meyers	J. Mack Thompson
J. S. Cruse	Claude D. Minor	C. B. Truesdell
P. A. Day	John T. Murphy	John L. Trumbo
H. N. Dean	Estill W. Neel	J. Wood Vance
Dr. T. H. Gamblin	Chas. A. Nelson	Daniel Vose
B. J. Geohringer	T. C. Pryse	Geo. C. Waggoner
A. F. Hanberry	B. F. Reynolds	A. M. Wash
Adam W. Huff	J. L. Richardson	J. S. Webb
Robt. Humphreys	Sherman Robbins	W. N. Winn
J. W. Johnson	Lee Rogers	Dr. W. S. Yazell

—60

Those who voted in the negative were:

H. C. Duffy	Dr. W. L. Gossett	—2

Resolved, That the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was then sent to the Senate.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 368. An Act to change and fix the times for holding the terms of Circuit Court in the Thirty-sixth Circuit Court Judicial District of Kentucky, (composed of

the Counties of Wolfe, Morgan and Magoffin), and declaring an emergency.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the time for holding Circuit Court in the Thirty-sixth Circuit Court Judicial District of Kentucky shall be as follows, to-wit:

"In Wolfe County at Campton, Second Monday in February, July and October of each year and continue eighteen juridical days if the business so requires.

"In Morgan County at West Liberty, Second Monday in March, August and November of each year and continue eighteen juridical days if the business so requires.

"In Magoffin at Salyersville, First Monday in April, Second Monday in September and First Monday in December of each year and continue eighteen juridical days if the business so requires.

§ 2. All acts and parts in conflict with this act are hereby repealed.

In as much as the time for holding court in Morgan County under the present law comes in the month of June, and in order to have the said court held under the provisions of this act, an emergency is declared to exist.

§ 3. This act shall take effect and be in full force from and after its approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	Chas. R. Scott
Sidney Alfrey	Henry Kaufman	W. P. Scott
H. H. Barnes	Griffin Kelly	E. E. Shannon
S. M. Bennett	Frank Kennard	Dr. B. F. Shields
W. M. Boling	J. M. Knott	S. G. Smith
Roy J. Cain	Dr. S. D. Laughlin	John T. E. Stites
W. T. Carner	Hebron Lawrence	T. R. Stultz
J. F. Carr	Joseph Lazarus	John W. Swope
T. L. Caudel	Elmer Lusby	John B. Thomas
A. S. Cooper	I. S. Mason	J. Mack Thompson
J. S. Cruse	A. J. McCandless	J. H. Thompson
P. A. Day	R. L. McFarron	C. B. Truesdell
H. N. Dean	Harry J. Meyers	John L. Trumbo
H. C. Duffy	Claude D. Minor	J. Wood Vance
Dr. T. H. Gamblin	John T. Murphy	Fred C. VanHoose
B. J. Geohringer	Estill W. Neel	Daniel Vose
J. W. Geveden	Chas. A. Nelson	A. M. Wash
Dr. W. L. Gossett	T. C. Pryse	J. S. Webb
A. L. Hamilton	B. F. Reynolds	Dr. T. R. Welch
A. F. Hanberry	J. L. Richardson	Gladstone Wesley
Dr. W. L. Haynes	Sherman Robbins	W. G. Wheeler
D. J. Howard	Lee Rogers	W. N. Winn
Robt. Humphreys	Dr. Lewis Ryans	—68

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus moved that the rules be suspended and that the House take up for consideration Senate Resolution No. 8, entitled:

Joint resolution, for the benefit of J. W. Hedden, formerly Superintendent of Public Printing.

Said motion was agreed to.

Then the House took up for consideration said Senate Resolution No. 8, which is as follows:

Whereas J. W. Hedden served the Commonwealth of Kentucky in the capacity of Superintendent of Public Printing of the Commonwealth of Kentucky, under the appointment of the Board of Printing Commissioners made from June 1, 1906, for a period of four years from said date, to-wit; from June 1, 1906 to June 1, 1910, and,

Whereas, during the sessions of the Legislature of 1908 and 1910, by reason of the great volume of work thrown upon his office he was required to and did provide himself with assistance, and for which assistance he paid from his own funds the sum of $229.38; and, whereas, said sum of money has never been refunded or paid to said Hedden up to this time; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts be, and he is directed to draw his warrant on the Treasurer of the Commonwealth for the sum of $229.38 and interest from January 1, 1910 to 1920, at the legal rate of interest, amounting to $467.01, payable out of the General Expenditure Fund, payable to the said J. W. Hedden in full of his claim for money paid out by him by reason of employment of assistance during the Legislative sessions of 1908 and 1910.

The yeas and nays being taken on the passage of said resolution, in accordance with the provisions of the Constitution, were as follows:

Those who voted in the affirmative were:

Lon Adams	Robt. Humphreys	Dr. Lewis Ryans
Sidney Alfrey	J. W. Johnson	Chas. R. Scott
H. H. Barnes	Griffin Kelly	W. P. Scott
S. M. Bennett	Frank Kennard	S. G. Smith
W. M. Boling	J. M. Knott	H. A. Spillman
Roy J. Cain	Dr. S. D. Laughlin	John T. E. Stites
J. F. Carr	Hebron Lawrence	T. R. Stultz
T. L. Caudel	Joseph Lazarus	John W. Swope
A. S. Cooper	Rev. J. A. Lee	John B. Thomas
J. S. Cruse	Elmer Lusby	J. H. Thompson
P. A. Day	H. C. McLellen	C. B. Truesdell
H. N. Dean	Harry J. Meyers	J. Wood Vance
H. C. Duffy	Claude D. Minor	Fred C. VanHoose
B. J. Geohringer	John T. Murphy	Daniel Vose
J. W. Geveden	Estill W. Neel	Geo. C. Waggoner
Dr. W. L. Gossett	Chas. A. Nelson	Dr. T. R. Welch
A. L. Hamilton	B. F. Reynolds	W. G. Wheeler
A. F. Hanberry	J. L. Richardson	W. N. Winn
Dr. W. L. Haynes	Sherman Robbins	Dr. W. S. Yazell
D. J. Howard	Lee Rogers	—61
Adam W. Huff	B. A. Roth	

Those who voted in the negative were:

W. T. Carner	Dr. B. F. Shields	Gladstone	Wesley
A. J. McCandless	A. M. Wash		—7
R. L. McFarron	J. S. Webb		

So said resolution was concurred in.

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said resolution was concurred in be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 131. An Act to amend Section 4238, Kentucky Statutes, relative to Tax on Law Process.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4238, being Article 14 of Chapter CVIII, Kentucky Statutes, Carroll's Edition of 1915, be and the same is hereby amended by inserting after the word "State," in line 13 of said section, the words, "and claims on the Government, of all soldiers, their widows, orphans and dependents, for services rendered by soldiers, or arising on account of such service by operation of law, and to any power of attorney or other writing concerning the same."

So that said Article and Section, as amended, shall read as follows, to-wit:

Section 4238 (1). On each original action or proceeding in the Circuit Court, commencing with or without original process, and on each original action or proceeding in other courts, when the amount in controversy, exclusive of interest and costs, exceeds fifty dollars; on each appeal to the Circuit or Quarterly Court: on each traverse or forcible entry or detainer; on each proceeding to revive a judgment; on each deed or power of attorney to convey real or personal estate, or any mortgage or conveyance of real or personal property, or lien or conveyance of coal, oil, gas or other mineral right or privilege (but no tax shall be paid on any chattel mortgage unless the amount exceed two hundred dollars); and each marriage license, fifty cents; and on the seal of any court, required by law to keep a seal, fifty cents, except for license authorized by the State, and claims on the Government, of all soldiers, their widows, orphans and dependents, for services rendered by soldiers, or arising on account of such service by operation of law, and any power of attorney or other writing

concerning the same; on each appeal to the Court of Appeals, two dollars; on each verdict of a petit jury in civil cases in the Circuit Court, four dollars. The tax shall be paid when the parties withdraw a jury or the plaintiff sustains a non-suit after the jury is sworn. On filing and registering a plat and certificate of survey, and issuing and recording patent thereon, one charge, which shall be paid before the survey is filed, but not to apply to a survey heretofore filed in Register's office, two dollars and fifty cents for each survey consisting of ten acres or less, and five dollars for each survey in excess of ten acres; for filing a caveat, twenty-five cents; for filing a copy of judgment of a court in a case of caveat, mandamus or other proceedings affecting the land office, or the duties of the register, twenty-five cents; for issuing a land warrant, one dollar; for each official certificate, with seal of office affixed, one dollar; for a copy of a plat, fifty cents; for a copy of a course and distances of any patent or survey, fifty cents; for a copy of an entry or land warrant, fifty cents; for a copy of an assignment, twenty-five cents; for a copy of a caveat, two cents for every twenty words; for a copy of any writing not specifically provided for, two cents for every twenty words.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	W. P. Scott
L. H. Ballard	Griffin Kelly	Dr. B. F. Shields
H. H. Barnes	Frank Kennard	S. G. Smith
W. M. Boling	J. M. Knott	H. A. Spillman
Roy J. Cain	Dr. S. D. Laughlin	John T. E. Stites
W. T. Carner	Hebron Lawrence	T. R. Stultz
J. F. Carr	Joseph Lazarus	John W. Swope
T. L. Caudel	Rev. J. A. Lee	John B. Thomas
J. S. Cruse	Elmer Lusby	J. H. Thompson
P. A. Day	R. L. McFarron	C. B. Truesdell
H. N. Dean	H. C. McLellen	John L. Trumbo
H. C. Duffy	Harry J. Meyers	Fred C. Vanhoose
B. J. Geohringer	Claude D. Minor	Daniel Vose
J. W. Geveden	John T. Murphy	Geo. C. Waggoner
Dr. W. L. Gossett	Chas. A. Nelson	A. M. Wash
A. F. Hanberry	B. F. Reynolds	J. S. Webb
Dr. W. L. Haynes	J. L. Richardson	Gladstone Wesley
D. J. Howard	Sherman Robbins	W. N. Winn
Adam W. Huff	Lee Rogers	Dr. W. S. Yazell
Robt. Humphreys	Chas. R. Scott	—59

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Kelly asked for unanimous consent to introduce a resolution.

Said consent was given.

Then Mr. Kelly offered a resolution as follows:

Joint Resolution No. 39. Resolution commending citizens of Frankfort for kindness and courtesies extended to members of 1920 Session of General Assembly.

Whereas, a resolution has been introduced and passed in the House of Representatives, the title of which was commendable, although the body of the resolution is a reflection upon the citizenship of Frankfort, Kentucky, and,

Whereas, it is a recognized fact that Frankfort, due to the loss of one of its hotels by fire, has been somewhat handicapped in taking care of any unusual gathering or body of persons; yet, notwithstanding the inadequacy of public accommodation in Frankfort, Kentucky, the citizens of the city have opened their houses to the members of the General Assembly, and have done everything possible toward the comfort and care taking of the members, and have undertaken to make their sojourn here pleasant and comfortable:

Therefore, be it resolved by the House of Representatives, the Senate concurring:

That we do very heartily extend to the good citizens of Frankfort our sincerest appreciation for the many kindnesses and courtesies shown for the opening of their houses for the entertainment of the members of the General Assembly, and in many cases their families, during the 1920 Session, and the members will carry to their respective homes very pleasant recollections of their stay in Frankfort during said session.

Be it further resolved, that a copy of this resolution be forwarded to the Frankfort Chamber of Commerce.

Mr. Lazarus moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Then said resolution was agreed to.

Ordered, that said resolution be sent to the Senate.

Mr. Lazarus moved that the calendar be read, and that the bills therein be given their second reading by their title only.

Said motion was agreed to.

Then the House took up for consideration from the calendar bills of the following titles:

House Bill No. 111. An Act entitled, An Act to create a commission for the purpose of making a survey of the educational systems of Kentucky, supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

House Bill No. 529. An Act relating to the Clerk of the Court of Appeals, requiring him to make monthly reports under oath of all moneys received by him on account of his official duties or position from all sources, and to pay over to the Auditor the amounts so received; deputies allowed; and making provision for the salary of the Clerk of the Court of Appeals and his deputies.

House Bill No. 249. An Act to regulate and fix the charges on storage and custodianship of distilled spirits held in bonded warehouses.

House Bill No. 485. An Act to relieve the shortage of cars and to assist the movement of freight within this Commonwealth.

House Bill No. 463. An Act for the better protection of passengers and property on railroads within the confines of this Commonwealth.

House Bill No. 410. An Act to amend an Act of June 23, 1893, and which Act was itself amended by an Act of March, 1904, and especially amending Section 4348 of Kentucky Statutes, entitled "passways."

Senate Bill No. 53. An Act to amend Section 965 Kentucky Statutes fixing the time for holding Circuit Courts in this Commonwealth.

Ordered that said bills be read the second time.

The provision of the Constitution as to the second reading of said bills at length being dispended with, said bills were severally read the second time by their title.

Ordered that said bills be placed in the Orders of the Day.

Mr. Lazarus moved that the House do now adjourn.

Said motion was agreed to.

Then the House, at 4:35 P. M., adjourned.

THURSDAY, MARCH 4, 1920.

The House was called to order at 10 A. M. by the Speaker.

The House was opened with prayer by Rev. S. S. Daughtry, of the Presbyterian Church, Frankfort, Kentucky.

The roll-call to ascertain the presence of a quorum resulted as follows, to-wit:

Lon Adams	Henry Kaufman	Chas. R. Scott
Sidney Alfrey	Griffin Kelly	W. P. Scott
L. H. Ballard	Frank Kennard	E. E. Shannon
S. M. Bennett	W. L. Kimbrough	Dr. B. F. Shields
W. M. Boling	J. M. Knott	S. G. Smith
Rodney G. Bryson	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Joseph Lazarus	John T. E. Stites
J. F. Carr	Rev. J. A. Lee	T. R. Stultz

T. L. Caudel	Elmer Lusby	John W. Swope
Charles M. Ciarlo	R. C. Marcum	J. Mack Thompson
P. A. Day	I. S. Mason	J. H. Thompson
H. N. Dean	A. J. McCandless	Dr. D. J. Travis
J. B. Denues	R. L. McFarron	C. B. Truesdell
H. C. Duffy	Harry J. Meyers	John L. Trumbo
Dr. T. H. Gamblin	Claude D. Minor	Daniel Vose
B. J. Geohringer	Mack J. Morgan	Geo. C. Waggoner
J. W. Geveden	John T. Murphy	A. M. Wash
Dr. W. L. Gossett	Estill W. Neel	J. S. Webb
A. F. Hanberry	Chas. A. Nelson	Dr. T. R. Welch
Talbert Holliday	B. F. Reynolds	Gladstone Wesley
D. J. Howard	J. L. Richardson	W. G. Wheeler
A. R. Hudson	Sherman Robbins	W. N. Winn
Adam W. Huff	Lee Rogers	Dr. W. S. Yazell
Robt. Humphreys	B. A. Roth	—
J. W. Johnson	Dr. Lewis Ryans	Present, 76

On motion of Mr. Roth, the reading of the Journal of Wednesday, March 3, 1920, was dispensed with and the Journal approved.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 395. An Act creating a Department of Adult Education; providing for a commissioner of same; creating a system of evening schools; providing for the employment of teachers therein, and appropriating money for carrying out the provisions of this Act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created a Department of Adult Education for the purpose of educating adults, either illiterate or deficient in elementary education.

§ 2. The Commissioner of Adult Education is hereby created, who shall possess ample educational qualifications, good moral character and who shall have had experience in the education of adult illiterates. The Commissioner of Adult Education shall be appointed by the Governor for a term of two years, and said appointment shall not require the approval or consent of the Senate.

§ 3. It shall be the duty of the Commissioner of Adult Education to plan the work under and execute the provisions of this act. He shall visit various portions of the state in the interest of the public evening schools. He shall supervise the work of education of adults embraced within the terms of this act in the various schools of the state. He shall prescribe and require certain standards that will give to the state the highest possible efficiency in the public evening schools.

§ 4. The Commissioner of Adult Education shall receive a salary of twenty-five hundred ($2,500.00) dollars annually, payable monthly, and an allowance for traveling expenses not to exceed five hundred ($500.00) dollars, said expenses to be incurred and accounted for as are similar accounts in other departments of the state government, and the salary of the Commissioner of Adult Education, as well as the expense account of such commissioner, shall be paid out of the appropriation made in this act.

§ 5. There is hereby created a system of evening schools for rural districts and unclassified towns. Such schools shall be held in the public school houses of the various school districts or unclassified towns of the Commonwealth. A session shall consist of twenty-four evenings, four consecutive evenings of six consecutive weeks, and each day's session shall not be less than two hours in length.

§ 6. The course of study to be taught in the evening schools provided for in this act and the text books shall be prescribed by and selected by the Commissioner of Adult Education.

§ 7. The teachers in the public evening schools shall be employed by the Commissioner of Adult Education, upon recommendation of the county organizer of each county, preference in all cases to be given to the common school teacher or teachers regularly employed in the common schools of the

district where such public evening schools are located, and in event the Commissioner of Adult Education is unable to contract with the public school teachers, as herein provided, then he shall employ a teacher whose qualifications shall not be lower than that required by law of the teacher for the common school in that district.

§ 8. Teachers in the public evening schools shall receive as compensation for their services not exceeding two ($2.00) dollars for each evening of the session.

§ 9. The Commissioner of Adult Education shall prepare the proper report blanks upon which the teachers so employed may claim their compensation, and no compensation shall be paid to any teacher employed under the provisions of this act until such report blank shall have been filled out by said teacher, showing the number of evenings such teacher has conducted the public evening school, which report shall be signed and sworn to by the said teacher, or some person, authorized to administer oaths under the laws of this Commonwealth, and no teacher shall receive any compensation for his services, unless such teacher has taught as many as four consecutive weeks unless such teacher is prevented from so doing by sickness or other cause beyond the control of such teacher, in which event the Commissioner of Adult Education is authorized to pay for a less period of time.

§10. The Commissioner of Adult Education shall have power to employ one district field agent for Eastern Kentucky and one district field agent for Western Kentucky who shall possess the same qualifications as the Commissioner of Adult Education, who shall assist the Commissioner of Adult Education in the performance of the duties imposed by the Commissioner of Adult Education under the provisions of this act. These district field agents shall receive a salary of $1,500.00 annually, payable monthly, with necessary traveling expenses.

§11. The Commissioner of Adult Education shall be allowed one clerk and one stenographer for his Department, besides the necessary postage, printing and office supplies, all of which shall be paid out of the appropriation made in this act.

§12. The Commissioner of Adult Education shall have the power to employ for each county a County Organizer of evening schools, who shall hold office at the pleasure of the Commissioner of Adult Education. The salary of such County Organizer of evening schools shall be One Hundred ($100.-00) Dollars per month, payable monthly.

§13. The Department of Adult Education shall have the power to accept contributions made by the Fiscal Court of any county, or the County Board of Education of any county, for the purpose of furthering the teaching of the adults embraced within the provisions of this act, but all sums received from the Fiscal Court or the County Board of Education of any county shall be devoted to the education of adults in the county contributing such sum.

§14. For the purpose of carrying into effect the provisions of this act and meeting the expenses provided for herein, including the salaries provided for in this act, there is hereby appropriated out of the general revenues of the State not otherwise appropriated, for the fiscal year ending June 30, 1921, the sum of seventy-five thousand ($75,000.00) dollars and a like sum for the fiscal year ending June 30, 1922, and the Auditor of Public Accounts is directed to draw his warrant in favor of the Commissioner of Adult Education for said sums for each of said years, on demand of the Commissioner of Adult Education.

§15. The Commissioner of Adult Education is hereby required to make a Biennial Report to the Legislature and to keep an itemized account of all expenditures of the money appropriated by this act, and make annual report thereof. to the Budget Appropriation Commission of this Commonwealth, and the books of said Commissioner of Adult Education shall at all times be open to the inspection of the State Inspector and Examiner.

Ordered that said bill be read the third time.

Mr. J. H. Thompson moved to recommit said bill to Committee on Appropriations.

Mr. Wash moved to table the motion to recommit.

This motion was lost.

Then the motion to recommit was disagreed to.

Mr. Lazarus moved the previous question.

The Speaker stated "Shall the main question now be ordered?"

Said question was decided in the negative.

Mr. Lee offered the following amendment, viz.:

Section 14, line 5, strike out "seventy-five thousand dollars," and insert "fifty thousand dollars."

Mr. Wesley moved that said amendment do lie on the table.

Messrs. Lee and Wesley demanded a roll-call on the motion to table.

The yeas and nays being taken thereon resulted as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Sherman Robbins
L. H. Ballard	Griffin Kelly	Lee Rogers
S. M. Bennett	Frank Kennard	B. A. Roth
W. M. Boling	W. L. Kimbrough	Dr. Lewis Ryans
Rodney G. Bryson	J. M. Knott	S. G. Smith
Roy J. Cain	Dr. S. D. Laughlin	Wm. A. Stewart
W. T. Carner	Hebron Lawrence	T. R. Stultz
J. F. Carr	Joseph Lazarus	John W. Swope
B. L. Cox	R. C. Marcum	Dr. D. J. Travis
J. S. Cruse	I. S. Mason	John L. Trumbo
H. N. Dean	A. J. McCandless	Fred C. VanHoose
J. B. Denues	R. L. McFarron	Daniel Vose

H. C. Duffy	H. C. McLellen	A. M. Wash
Dr. T. H. Gamblin	Claude D. Minor	J. S. Webb
A. L. Hamilton	Mack J. Morgan	Gladstone Wesley
A. F. Hanberry	Estill W. Neel	R. E. Wilborn
A. R. Hudson	T. P. Oliver	V. M. Williamson
Adam W. Huff	T. C. Pryse	Dr. W. S. Yazell
R. O. Huntsman	S. C. Ray	—58
J. W. Johnson	J. L. Richardson	

Those who voted in the negative were:

W. T. Beckham	Rev. J. A. Lee	R. Lee Stewart
T. L. Caudel	Elmer Lusby	John T. E. Stites
Charles M. Ciarlo	Harry J. Meyers	John B. Thomas
P. A. Day	John T. Murphy	J. Mack Thompson
B. J. Geohringer	Chas. A. Nelson	J. H. Thompson
J. W. Geveden	B. F. Reynolds	C. B. Truesdell
Dr. W. L. Gossett	Chas. R. Scott	Geo. C. Waggoner
Dr. W. L. Haynes	W. P. Scott	Dr. T. R. Welch
D. J. Howard	E. E. Shannon	W. G. Wheeler
Robt. Humphreys	Dr. B. F. Shields	—29

So the motion prevailed.

Ordered, that House Bill No. 395 and the amendment thereto do lie on the table.

Mr. Lazarus moved that the vote by which said amendment was tabled be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, moved that House Bill No. 528, "An Act for the prevention of pools, trusts, conspiracies, and combinations in restraint of trade, and to define same, and to prescribe penalties and provide methods for the infliction thereof," be read the first time and placed in the calendar.

Said motion was agreed to.

Said bill was read the first time at length and placed in the calendar.

The Speaker stated that he was now ready to announce his decision in regard to House Bill No. 142, "An Act to appropriate money to purchase ground to straighten the State line and beautify the approach to the Capitol," which was taken up for consideration on yesterday.

The Speaker decided that said bill was lost.

Mr. Meyers moved to reconsider the vote by which said bill was lost on yesterday.

Mr. Lazarus moved to lay that motion on the table.

Upon a division this motion was defeated. Ayes, 32; nays, 35.

Then the motion to reconsider was adopted.

The House took up for consideration said bill which reads as follows, viz.:

House Bill No. 142. An Act to Appropriate Money to Purchase Ground to Straighten the State Line and Beautify the Approach to the Capitol.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sum of $50,000.00 or so much thereof as may be necessary is hereby appropriated out of the general revenue of the Commonwealth, to be expended for the purpose of purchasing additional grounds to straighten the State line and beautify the approach to the Capitol.

§ 2. Such sum of money shall be set apart by the Auditor of Public Accounts and the Treasurer out of the general

revenue. Said sum or any part thereof shall be paid out of the Treasurer upon the order of the Board of Sinking Fund Commissioners when such order is signed by the Chairman and Secretary. The Board of Sinking Fund Commissioners shall have the power to acquire such additional ground as they may deem proper by purchase at a fair and reasonable price, not to exceed the sum herein appropriated.

§ 3. The Board of Sinking Fund Commissioners shall cause to be kept by its Secretary a true and a complete record of all money paid out by him, for what purpose and under whose order and discretion. Monthly statements shall be made to the Governor by the said Secretary and a full and complete report shall be made to the General Assembly, regular or extra session.

§ 4. The Commissioners will file with the Governor an itemized statement of their acts under this law and any money unexpended shall be conveyed to the general fund in the Treasury.

Mr. Meyers offered the following amendment, viz.:

Amend House Bill No. 142. Strike out Section 1 and add in lieu thereof: "That the Sinking Fund Commission is hereby enabled to purchase property to beautify the State Capitol and to approve the same and straighten the State line and beautify the approach to the Capitol."

Line 8 stricken out on page 2.

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Meyers moved that the third reading of said bill be by its title only.

This motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

H. H. Barnes	J. W. Johnson	Chas. R. Scott
W. T. Beckham	Griffin Kelly	W. P. Scott
Jo F. Bosworth	J. M. Knott	E. E. Shannon
Rodney G. Bryson	Dr. S. D. Laughlin	Dr. B. F. Shields
Roy J. Cain	Hebron Lawrence	H. A. Spillman
T. L. Caudel	H. C. McLellen	T. R. Stultz
B. L. Cox	Harry J. Meyers	John W. Swope
J. S. Cruse	Claude D. Minor	John B. Thomas
P. A. Day	Mack J. Morgan	J. H. Thompson
J. B. Denues	John T. Murphy	J. Wood Vance
J. W. Geveden	Chas. A. Nelson	Fred C. VanHoose
Dr. W. L. Gossett	T. P. Oliver	Geo. C. Waggoner
A. L. Hamilton	T. C. Pryse	A. M. Wash
Dr. W. L. Haynes	B. F. Reynolds	Dr. T. R. Welch
D. J. Howard	J. L. Richardson	W. G. Wheeler
Robt. Humphreys	Sherman Robbins	W. N. Winn
R. O. Huntsman	Dr. Lewis Ryans	—50

Those who voted in the negative were:

Lon Adams	Henry Kaufman	R. Lee Stewart
L. H. Ballard	Frank Kennard	Wm. A. Stewart
S. M. Bennett	W. L. Kimbrough	John T. E. Stites
W. M. Boling	Joseph Lazarus	J. Mack Thompson
W. T. Carner	Rev. J. A. Lee	Dr. D. J. Travis
J. F. Carr	Elmer Lusby	C. B. Truesdell
Charles M. Ciarlo	R. C. Marcum	John L. Trumbo
H. N. Dean	I. S. Mason	Daniel Vose
H. C. Duffy	A. J. McCandless	J. S. Webb
Dr. T. H. Gamblin	R. L. McFarron	Gladstone Wesley

B. J. Geohringer	Estill W. Neel	R. E. Wilborn
A. F. Hanberry	S. C. Ray	V. M. Williamson
Talbert Holliday	Lee Rogers	Dr. W. S. Yazell
A. R. Hudson	B. A. Roth	—43
Adam W. Huff	S. G. Smith	

Resolved, That the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Mr. Lazarus made the point of order that the bill carries an appropriation and that 51 votes are necessary for its passage.

The Speaker ruled that the point of order was not well taken.

The motion of Mr. Meyers was agreed to.

By unanimous consent the following bills were introduced, ordered to be printed, and referred to the Committee on Rules:

By Mr. Kimbrough:

House Bill No. 539, entitled: An Act relating to the levy and assessment of taxes and providing the manner of assessment and collection of taxes in all schools in the Commonwealth maintained, operated or conducted under any charter granted by this Commonwealth.

By Mr. Kennard:

House Bill No. 540, entitled: An Act to prevent profiteering in necessities of life and rents or charges for the occupancy of buildings for dwelling purposes, and to provide penalties therefor and investigations thereof.

By Mr. Waggoner:

House Bill No. 541, entitled: An Act to amend and re-enact Sub-section 2 of Section 1847 of the Kentucky Statutes.

By Mr. Waggoner:

House Bill No. 542, entitled: An Act to require resident citizens also non-residents, through and by fiduciary, guardian or agent, of fourth class cities, State of Kentucky, to appear promptly at city assessor's office, and there on stated days set by Board of Council, the first twenty within the date fixed by State Statutes, for the assessment, as of April first, etc., to give in their full and fair list, poll and property, subject to city taxation.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 471. An Act to amend Section 4 of Chapter CXVIII of the Session Acts of 1918, entitled, "An Act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack or bull in this Commonwealth, fixing the date of the expiration of licenses provided for, and providing the manner of registering and recording the breed, name, age, color, sire and dam of the animal to be licensed and fixing a fee for such registration, and fixing penalties for failure to provide licenses."

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4 of Chapter CXVIII of the Session Acts of 1918 General Assembly be amended and re-enacted, so that said section, when so amended and re-enacted, shall read as follows:

"Sec. 4. Any unexpended balance, after deducting the cost of the operation of this law, shall at the end of each fiscal

year be placed to the credit of the premium fund of the Kentucky State Fair, to be offered as premiums for pure-bred live stock; and this method of applying such unexpended balance shall apply to all moneys collected under this law since its passage and approval on March 28, 1918, which may now be on hand and unexpended."

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	Chas. R. Scott
L. H. Ballard	Henry Kaufman	W. P. Scott
H. H. Barnes	W. L. Kimbrough	E. E. Shannon
W. T. Beckham	J. M. Knott	Dr. B. F. Shields
S. M. Bennett	Dr. S. D. Laughlin	S. G. Smith
Roy J. Cain	Joseph Lazarus	R. Lee Stewart
W. T. Carner	Rev. J. A. Lee	Wm. A. Stewart
J. F. Carr	Elmer Lusby	T. R. Stultz
T. L. Caudel	R. C. Marcum	John W. Swope
Charles M. Ciarlo	I. S. Mason	John B. Thomas
B. L. Cox	A. J. McCandless	J. Mack Thompson
J. S. Cruse	R. L. McFarron	J. H. Thompson
P. A. Day	H. C. McLellen	C. B. Truesdell
H. N. Dean	Harry J. Meyers	John L. Trumbo

J. B. Denues	Claude D. Minor	J. Wood Vance
H. C. Duffy	Mack J. Morgan	Daniel Vose
Dr. T. H. Gamblin	John T. Murphy	Geo. C. Waggoner
B. J. Geohringer	Estill W. Neel	A. M. Wash
J. W. Geveden	Chas. A. Nelson	Dr. T. R. Welch
Dr. W. L. Gossett	S. C. Ray	Gladstone Wesley
A. L. Hamilton	B. F. Reynolds	W. G. Wheeler
Dr. W. L. Haynes	J. L. Richardson	V. M. Williamson
D. J. Howard	Sherman Robbins	W. N. Winn
A. R. Hudson	Lee Rogers	Dr. W. S. Yazell
Adam W. Huff	B. A. Roth	—76
Robt. Humphreys	Dr. Lewis Ryans	

Those who voted in the negative were:

Frank Kennard —1

Resolved, That the title thereof be as aforesaid.

Mr. Morgan moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hudson offered the following motion in writing, viz.:

That this House recess at 12 o'clock noon until 1:30 P. M. and remain in session until 4:30 P. M., when it shall again recess until 7:30 P. M. and remain in session until 10 P. M. or until such time as the time may be extended to.

Said motion was rejected.

Mr. Cooper was granted an indefinite leave of absence.

Mr. Bryson moved that today's session be extended indefinitely.

Said motion was agreed to.

Mr. Bryson moved that the House shall recess today at 12:15 to 1:20 P. M.

Said motion was agreed to.

The following bills and resolutions were sent to the Senate, viz.:

House Resolution No. 39, Senate Resolution No. 8, House Bills Nos. 259, 131, 368, 391, 175, 289, 215, 284, 352, 389, 416, 476, 513, and House Resolution No. 37.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 296. An Act to amend Section 4535f-1, Kentucky Statutes, Carroll's Edition, 1915, and relating to the State inspectors and examiners of schools, and to substitute in lieu thereof the following:

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The State Superintendent of Public Instruction shall be and is hereby authorized to act as special State inspector and examiner of all schools in cities, towns and counties in the Commonwealth receiving funds directly or indirectly from the State for said cities, towns and counties. The State Superintendent, before entering upon these special duties, shall take an oath before some one qualified to administer the oath, to faithfully and diligently perform the duties of this office and shall execute bond with good and sufficient security, to be approved by the Governor in a sum not to exceed $10,000 which bond shall be filed with the Secretary of State.

The State Superintendent of Public Instruction shall receive annually for such special duty, the salary of $1,500, payable monthly out of the State school fund.

He shall have power to appoint two assistants at salaries of $2,000 per annum, and all necessary and contingent traveling expenses for himself and his assistants, when on business pertaining to these official duties. These salaries and necessary expenses thus incurred shall be paid by the Treasurer and charged to the common school fund and the Superintendent is hereby authorized to make monthly requisition on the Auditor for such salaries and expenses and that he render an itemized account of the same.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	J. M. Knott	Dr. B. F. Shields
H. H. Barnes	Hebron Lawrence	S. G. Smith
S. M. Bennett	Joseph Lazarus	H. A. Spillman
Roy J. Cain	R. C. Marcum	R. Lee Stewart
W. T. Carner	I. S. Mason	Wm. A. Stewart
J. F. Carr	A. J. McCandless	John T. E. Stites
Charles M. Ciarlo	R. L. McFarron	Dr. D. J. Travis
B. L. Cox	H. C. McLellen	John L. Trumbo

J. S. Cruse	Harry J. Meyers	J. Wood Vance
H. N. Dean	Claude D. Minor	Daniel Vose
B. J. Geohringer	Mack J. Morgan	A. M. Wash
A. F. Hanberry	Estill W. Neel	J. S. Webb
A. R. Hudson	T. C. Pryse	Gladstone Wesley
Adam W. Huff	S. C. Ray	R. E. Wilborn
R. O. Huntsman	Sherman Robbins	V. M. Williamson
J. W. Johnson	B. A. Roth	W. N. Winn
Henry Kaufman	W. P. Scott	Dr. W. S. Yazell
W. L. Kimbrough	E. E. Shannon	—53

Those who voted in the negative were:

Lon Adams	A. L. Hamilton	Chas. A. Nelson
W. T. Beckham	D. J. Howard	T. P. Oliver
P. A. Day	Robt. Humphreys	B. F. Reynolds
H. C. Duffy	Griffin Kelly	Chas. R. Scott
Dr. W. L. Gossett	Elmer Lusby	J. Mack Thompson
		—15

Resolved, That the title thereof be as aforesaid.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 492. An Act authorizing the fiscal courts of certain counties, and authorizing certain municipalities, to appropriate money for the purpose of securing the necessary areas of water front and suitable water terminals at all towns and landings along certain parts of the Cumberland river adequate for traffic, same to be open to the public equally on terms satisfactory to the Secretary of War of the United States.

Whereas, The Sixty-fifth Congress of the United States of America appropriated certain money for the improvement of the Cumberland river above Nashville, Tennessee, upon condition that local interests in the vicinity of the improvement could furnish satisfactory assurance to the Secretary of War that sufficient areas of water front and suitable water terminals at all towns or landings adequate for the traffic, and which should be open to the public equally, will be furnished on terms satisfactory to the Secretary of War; and, whereas, the proposed improvement of said river will affect some of the counties and incorporated towns of Kentucky bordering on said Cumberland river; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the fiscal court of any county of the Commonwealth through which said river passes, or which borders upon said river, and any incorporated town bordering said river and affected by said proposed improvements, may, out of the general expenditure fund not otherwise appropriated, appropriate the necessary money to purchase and secure, in whole or in part, sufficient areas of water front and suitable water terminals at any point within the jurisdiction of said counties or towns, adequate for the traffic, provided that said terminals and areas of water front, when so purchased out of money so appropriated, shall be open and free for the use of all the public alike.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Griffin Kelly	E. E. Shannon
L. H. Ballard	W. L. Kimbrough	Dr. B. F. Shields
H. H. Barnes	J. M. Knott	S. G. Smith
W. T. Beckham	Dr. S. D. Laughlin	R. Lee Stewart
W. T. Carner	Hebron Lawrence	Wm. A. Stewart
J. F. Carr	Joseph Lazarus	John T. E. Stites
B. L. Cox	Elmer Lusby	T. R. Stultz
J. S. Cruse	R. C. Marcum	J. Mack Thompson
P. A. Day	I. S. Mason	Dr. D. J. Travis
H. N. Dean	A. J. McCandless	J. Wood Vance
H. C. Duffy	R. L. McFarron	Daniel Vose
Dr. T. H. Gamblin	Harry J. Meyers	Geo. C. Waggoner
B. J. Geohringer	Claude D. Minor	A. M. Wash
J. W. Geveden	Estill W. Neel	J. S. Webb
Dr. W. L. Gossett	Chas. A. Nelson	Dr. T. R. Welch
A. L. Hamilton	S. C. Ray	Gladstone Wesley
Talbert Holliday	B. F. Reynolds	V. M. Williamson
D. J. Howard	Sherman Robbins	W. N. Winn
R. O. Huntsman	B. A. Roth	Dr. W. S. Yazell
J. W. Johnson	Chas. R. Scott	—61
Henry Kaufman	W. P. Scott	

Resolved, That the title thereof be as aforesaid.

Mr. Wash moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus of the Committee on Rules, called up for consideration House Bill No. 274.

After some debate Mr. Lazarus moved that the consideration of House Bill No. 274 be deferred and taken up immediately upon the reconvening of the House at 1:30 p. m.

Said motion was agreed to.

The following pair was announced:

Dr. Gamblin, who will be absent, with Dr. Travis, on all party and administration measures. Dr. Gamblin would vote for such measures and Dr. Travis would vote against them.

Said pair to be in force during the absence of Dr. Gamblin.

Then the House, at 12:15 P. M. took a recess until 1:30 P. M.

AFTERNOON SESSION.

THURSDAY, MARCH 4, 1920.

The House reconvened at 1:30 P. M.

A message was received from the Senate, announcing that it had passed Senate Resolution No. 23, as follows:

Whereas, distinguished public service always has been recognized by Kentuckians, regardless of any party affiliations, and

Whereas, prior to the entrance into the war against the Central Powers by the United States, the American mission to Belgium maintained and fortified the morale of a sorely tried and oppressed people, as amply testified to by a recent visit of the King and the Queen of the Belgians, and of Cardinal Mercier, and

Whereas, after the United States entered the war, to prosecute it vigorously to a happy and victorious conclusion,

the President delegated the authority of the Food Administration to the same skillful and diligent direction, therefore

Be it resolved by the Senate of the Commonwealth of Kentucky, the House of Representatives concurring, that the people of Kentucky, of all parties, appreciate the sterling worth of the Hon. Herbert Hoover, and the fidelity and resourcefulness with which he has discharged all public duties to him entrusted, and therefore

Be it further resolved that the General Assembly hereby extends to Mr. Hoover an invitation to address this body at some time during the present session, on topics of current interest and public welfare.

Mr. Lazarus moved that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Upon a division, said resolution was lost, yeas 36, nays 39.

So the House refused to concur therein.

Mr. Lazarus moved that the vote by which the House refused to concur in said Senate resolution be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Also that the Senate had passed Senate Resolution No. 22, as follows:

Whereas, the Senate of Kentucky, on the twenty-first day of January, 1920, passed a resolution which is as follows:

"Be it resolved by the Senate of Kentucky that whereas a discriminatory system of freight rates has been maintained and enforced for many years by the railroads, which has hindered and retarded the growth of business and indus-

try in Kentucky, except in the cases where the business or industry appealed exclusively to southern markets.

And whereas, said hindrance is due to the fact that under said system the Ohio river is recognized and treated by the railroad rate officials, and even by the Interstate Commerce Commission, as an obstacle and barrier to commerce moving north from Kentucky, and a freight rate is added on all such commerce as it crosses the Ohio river, although no added charge is fixed upon any of the commerce originating north of the river and moving into Kentucky or the south.

And whereas, Kentucky, having the Ohio river for its northern boundary, is by the above artifice made a border state in matters of freight rate schedules and is therefore the chief sufferer under the above indefensible discrimination, and the effect of which has been to restrict her business and industry to one-half of her natural markets, and at least two-thirds of the people who would otherwise be her customers, are deprived of that privilege.

Our Senators and Representatives in the Congress of the United States are therefore requested to use their utmost endeavors to have such laws enacted by Congress, and such rules adopted by the Interstate Commerce Commission as will give to the Ohio river like effect on all commerce crossing same without regard to whether it originated north or south thereof.

Clerk of the Senate is directed to forward to each Senator and Representative from Kentucky a certified copy of this resolution.

And whereas under the present adjustment of freight rates there is an abrupt increase in the level rates at the south bank of the Ohio river, which together with the charge for crossing the river, discriminates against Kentucky industries and stifles her commerce.

Now, therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky, that the Governor of Kentucky be and is hereby authorized and requested to appoint a commission of three to study the existing discriminations in freight rates against the State of Kentucky, and to recommend to the next session of the General Assembly

such legislation as it deems advisable and that in the meantime such committee be empowered to institute such proceedings in the name of the Commonwealth of Kentucky before the Interstate Commerce Commission or the Railroad Commission of Kentucky as they may deem advisable and necessary to remove such discrimination, provided that said Committee shall cause no proceedings to be instituted until same be first approved by the Governor and the Attorney General of the State of Kentucky.

Mr. Lazarus moved to suspend the rules and take up said resolution for immediate consideration.

Said motion was agreed to.

Said resolution was concurred in.

Also that the Senate had passed Senate Bill No. 319, entitled:

An Act to authorize the incorporation in each county of the State of Kentucky of a County Farm Bureau for the advancement and improvement of agriculture, home economics, animal industry and horticulture co-operating with the College of Agriculture of the University of Kentucky, and the United States Department of Agriculture, to define the powers and rights of such farm bureaus and its members, to provide for appropriation by county fiscal courts or county commissioners in aid thereof and to provide for the Federation of such county Farm Bureaus.

Senate Bill No. 125, entitled:

An Act to amend and re-enact Section 4042-a-12, Kentucky Statutes, Carroll's Edition, Vol. 3, 1918, relating to the manner of assessment of property for taxation and duties of Tax Commissioners.

Senate Bill No. 269, entitled:

An Act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of the business of such persons, firm, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents, as may be necessary to prevent fraud in the sale within this State of any contracts, stocks, bonds, or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

Senate Bill No. 29, entitled:

An Act concerning dwelling houses in cities of the first class, and relating to their construction, reconstruction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control, and regulation, and providing penalties for violation of this Act.

Ordered, that said bills be printed and referred to the Committee on Rules.

Mr. Lazarus moved that the rules be suspended and that the House take up for immediate consideration Senate Resolution No. 21, which is as follows:

Whereas, there is a great demand among the county judges, county clerks, fiscal courts and in fact among all citizens of the Commonwealth, for information concerning the plan and working provisions of the new road law and whereas, it is necessary and expedient for the people of the State to know and to be informed about the same, therefore

Be it resolved by the Senate, the House of Representatives concurring therein, that the public printer be and he is hereby authorized and directed to print and publish one

thousand copies of the said completed new road law as finally and correctly enrolled, for distribution among the said officers and citizens of the Commonwealth.

Said printer is hereby directed to immediately print the same and to send the same to the Senate Bill Room for such distribution.

Said motion was agreed to.

Said resolution was concurred in.

The yeas and nays being taken upon the passage of said resolution resulted as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	E. E. Shannon
L. H. Ballard	Griffin Kelly	Dr. B. F. Shields
H. H. Barnes	Frank Kennard	S. G. Smith
W. T. Beckham	W. L. Kimbrough	H. A. Spilhman
S. M. Bennett	J. M. Knott	R. Lee Stewart
Rodney G. Bryson	Dr. S. D. Laughlin	Wm. A. Stewart
Roy J. Cain	Hebron Lawrence	John T. E. Stites
W. T. Carner	Joseph Lazarus	T. R. Stultz
J. F. Carr	Rev. J. A. Lee	John W. Swope
T. L. Caudel	Elmer Lusby	John B. Thomas
B. L. Cox	A. J. McCandless	J. Mack Thompson
J. S. Cruse	R. L. McFarron	J. H. Thompson
P. A. Day	H. C. McClellan	C. B. Truesdell
H. N. Dean	Harry J. Meyers	John L. Trumbo
J. B. Denues	Mack J. Morgan	J. Wood Vance
Dr. T. H. Gamblin	John T. Murphy	Daniel Vose
B. J. Geohringer	Estill W. Neel	A. M. Wash
J. W. Geveden	Chas. A. Nelson	J. S. Webb
Dr. W. L. Gossett	T. C. Pryse	Gladstone Wesley
Talbert Holliday	S. C. Ray	W. G. Wheeler
D. J. Howard	B. F. Reynolds	R. E. Wilborn
A. R. Hudson	Sherman Robbins	V. M. Williamson

Adam W. Huff	Lee Rogers	W. N. Winn
Robt. Humphreys	B. A. Roth	Dr. W. S. Yazell
R. O. Huntsman	Chas. R. Scott	—76.
J. W. Johnson	W. P. Scott	

So said resolution was adopted.

Mr. Lazarus moved that the vote by which said resolution was concurred in be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. W. P. Scott offered the following resolution:

Whereas, the organization known as the War Mothers of the State of Kentucky, made up of the patriotic women who gave their sons to the cause of the world freedom and sent them across the seas to battle for that cause, while they, remaining at home, gave their energy and time to every war effort fostered by the National Government, is now engaged in promoting a State memorial to the men who took up arms at their country's call, and,

Whereas, this organization has determined that such memorial should not be in the form of a monument, such as has been customary in the past, but a memorial that will ever be of use and benefit to the people of Kentucky while adorning the approach to Kentucky's Capitol and contributing to making of the Capital city of Kentucky a city all Kentuckians will be proud of, now, therefore,

Be it resolved by the House of Representatives of Kentucky:

That we do most heartily endorse this worthy movement upon the part of the War Mothers of the State and sincerely hope that their vision of a great memorial bridge across the Kentucky River at the Capital City will shortly be realized.

And be it further resolved, we view with approval the plan of having each of the one hundred and twenty counties

of Kentucky represented in this splendid memorial bridge through the placing thereon of a bronze tablet containing the names of soldiers who served from the various counties, and with special reference to those who gave up their lives.

We would urge upon the present State officials that they co-operate in every way with the War Mothers in this project, particularly the State Road Department, which might make of this structure part of the great highway scheme now being worked out in Kentucky, and would recommend to the next General Assembly that they assist in making such memorial possible.

Mr. Murphy moved that the House take up for immediate consideration Senate Resolution No. 20, as follows:

Whereas, approximately 3,000 valiant sons of Kentucky sacrificed their lives for the preservation of democracy and the protection of our national sovereignty in the recent war; and,

Whereas, the debt of gratitude owed by the people of this State and nation to these heroes can never be repaid, but their memory only honored and revered;

Now, therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

First. That a memorial service for the purpose of commemorating the valiancy and heroism of Kentucky's sons, who made the supreme sacrifice in the recent war, be held in the State Capitol on the 12th day of March, 1920.

Second. That Governor James Cox and Senator Warren G. Harding, of the State of Ohio, be invited to speak at said service.

Third. That a committee of five, composed of two Senators and three members of the House of Representatives, be appointed to arrange said program and to have charge of said service, said committee to be appointed by the respective presiding officers of the Senate and the House.

Fourth. That in order that the names of said departed heroes may be preserved in the Kentucky Historical Society, that a bronze tablet or other appropriate memorial, upon which shall be inscribed the names of all soldiers who lost their lives in said war, who were residents of this State, shall be placed in the Department of the State Historical Society, which shall not cost more than $1,500, which sum is now appropriated, is to be paid out of the State Treasury.

The Governor is hereby directed to appoint a committee of three to arrange for the procuring and placing said memorial in the Department of the Historical Society of the State.

Fifth. That the Governor be requested to extend the invitation to Governor Cox and Senator Harding on behalf of the Kentucky Legislature.

The yeas and nays, being demanded by Messrs. Murphy and Lazarus, were taken and resulted as follows:

Those who voted in the affirmative were:

Lon Adams	Griffin Kelly	S. G. Smith
W. T. Beckham	Frank Kennard	H. A. Spillman
S. M. Bennett	J. M. Knott	John T. E. Stites
W. M. Boling	Dr. S. D. Laughlin	T. R. Stultz
Roy J. Cain	Rev. J. A. Lee	John W. Swope
T. L. Caudel	Elmer Lusby	John B. Thomas
Charles M. Ciarlo	Harry J. Meyers	J. H. Thompson
B. L. Cox	Claude D. Minor	Dr. D. J. Travis
P. A. Day	Mack J. Morgan	C. B. Truesdell
J. B. Denues	John T. Murphy	John L. Trumbo
H. C. Duffy	Estill W. Neel	J. Wood Vance
Dr. T. H. Gamblin	Chas. A. Nelson	Fred C. VanHoose
J. W. Geveden	T. P. Oliver	Daniel Vose
A. L. Hamilton	B. F. Reynolds	Geo. C. Waggoner
D. J. Howard	Sherman Robbins	Dr. T. R. Welch
A. R. Hudson	Lee Rogers	W. G. Wheeler
Adam W. Huff	Chas. R. Scott	R. E. Wilborn
Robt. Humphreys	E. E. Shannon	W. N. Winn
J. W. Johnson	Dr. B. F. Shields	Dr. W. S. Yazell

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Those who voted in the negative were:

H. H. Barnes	Talbert Holliday	S. C. Ray
Jo F. Bosworth	R. O. Huntsman	B. A. Roth
Rodney G. Bryson	Henry Kaufman	W. P. Scott
W. T. Carner	W. L. Kimbrough	Wm. A. Stewart
J. F. Carr	Hebron Lawrence	J. Mack Thompson
J. S. Cruse	Joseph Lazarus	A. M. Wash
H. N. Dean	R. C. Marcum	J. S. Webb
B. J. Geohringer	I. S. Mason	Gladstone Wesley
Dr. W. L. Gossett	A. J. McCandless	—28
A. F. Hanberry	T. C. Pryse	

So said resolution was concurred in.

Mr. Lazarus moved that the House do now resume consideration of House Bill No. 274.

House Bill No. 274. An Act authorizing the various counties of this Commonwealth to impose a license tax upon dogs, for the promotion of the live stock industry and the protection of live stock and poultry from damage by dogs, and regulating the keeping of dogs and authorizing their destruction in certain cases where any county has imposed a license tax on dogs; providing for the protection of licensed dogs and for dogs temporarily imported in such counties for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and providing for the listing of dogs by the county tax commissioner in counties where such license tax is imposed, and providing a penalty for the county tax commissioner's failure to so list same; providing for the assessment of damage done by dogs and the payment thereof by the county to the owners of live stock and poultry and of damage to licensed dogs in counties where such license has been imposed; prescribing the duties of the county court clerk

in counties where such license has been imposed; providing penalties for the violation of this Act in counties where such license has been imposed; and repealing all laws in conflict with this Act, and especially repealing all of Chapter CXII of the Acts of the General Assembly of 1918.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. From and after January 1, 1921, no license tax shall be imposed upon dogs nor collected from the owners thereof in any county of this Commonwealth, except as provided in this Act.

§ 2. The fiscal court of each county in this Commonwealth shall have the power, by an order entered of record, prior to the first day of July in any year, to require all owners of dogs in said county to pay a license on such dogs or dog for each year following the year in which said order is entered at the following rates: For the first male dog, $1.00; for the first female dog, $2.00; for each additional male dog, $2.00, and for each additional female dog, $4.00.

§ 3. When the fiscal court shall have imposed a license upon dogs as provided for in this Act, such order shall remain effective for a period of four years, and at the expiration of each four year period, the fiscal court, by proper order, shall have the power to continue same for like periods of four years. If the fiscal court fails or refuses, however, to impose such a license tax such action shall in no wise prevent the imposition of such license at any subsequent time as provided in Section 2 of this Act.

§ 4. Whenever the fiscal court of any county shall, by order, provide for the imposition of a license tax on dogs under the provisions of this Act, the county clerk shall immediately, and before the first day of July of the year in which said order is made certify such order to the county tax commissioner, and the said county tax commissioner shall, in each year, while said order is in force, at the time he makes the assessment of the county, make diligent inquiry as to the num-

ber of dogs owned, harbored or kept by all persons in his county, and he shall list them; show the sex of each dog listed, and for such service he shall receive a fee of fifteen cents for each dog listed by him, the same to be allowed by the fiscal court and paid out of the county dog fund provided for in this Act. At the time he lists each dog, the county tax commissioner shall notify the person owning, harboring or keeping the same, that such person must obtain a license for such dog or dogs, but the failure of the tax commissioner to give such notice shall not be construed to relieve the owner or person harboring or keeping such dog of his duty to obtain such license.

§ 5. The tax commissioner of each county where the license has been imposed by the fiscal court under the provisions of this Act, shall annually, before December 31 of each year in which he lists such dogs, make a report in duplicate, one to be filed with the county court clerk and one with the sheriff of the county, setting forth the name of each owner of any dog or dogs, and every person harboring or keeping any dog or dogs, whether licensed or unlicensed, the license number of each licensed dog, the sex of every dog, and also of all kennels, whether licensed or unlicensed.

§ 6. On or before the first day of January of the year following the year in which any fiscal court may order the imposition of a license tax on all dogs, and on or before the first day of January of each year thereafter while said order is effective, all owners of dogs in the county shall apply to the county court clerk, or the deputy county court clerk, as hereinafter provided, of said county, either orally or in writing, for license for each such dog owned, harbored or kept by him. Such application shall state the breed, sex, age, color and markings of such dog, and the name and address of the last previous owner, and shall be accompanied by the necessary fees as set out in Section 2 of this Act.

§ 7. The county court clerk shall, for each year while such license tax is in effect in said county, prepare a license book, which book shall contain licenses numbered consecutively. Each license shall be attached by perforated line to a stub bearing the same consecutive number, and each license,

when issued shall be dated and numbered, and bear the name of the county issuing it and a description of the dog licensed, and the stub shall be so prepared as that the same information may be placed thereon. All licenses issued under this Act shall be void after the first day of January of the year following the year in which the same were issued. The county court clerk of each county in which this Act is effective shall prepare a metal tag, and these tags shall be numbered consecutively from one upwards, and shall have stamped thereon the calendar year for which such tag is issued, and as each license is issued a metal tag shall be delivered to the person applying for such license, bearing the same consecutive number as such license, and such tags shall be by the owner of the dog securing same, fastened to a substantial collar, and the collar, together with the tag so attached, shall, at all times, be kept on the dog for which the license was issued. The cost of preparing said license blanks and stubs and said metal tags shall be paid out of the county dog fund provided for in this Act.

§ 8. If any tag is lost the county court clerk shall furnish a new one, without cost, to the person to whom the original license was issued upon application of such person and upon production of said license.

§ 9. The county court clerk of each county where a license tax is imposed as provided for in this Act shall keep an accurate record of all license fees collected by him, or by his deputies, under the provisions of this Act, and on the first day of each month he shall turn over all funds collected under this Act to the treasurer of the county and take his receipt therefor after having first deducted therefrom the fees to which he and his deputies are entitled under the provisions of this Act.

§ 10. The county court clerk shall have the power to authorize any of his deputy clerks to issue such dog licenses and tags in the same manner as he himself is permitted to issue them but he shall take from each deputy clerk a receipt for the necessary blanks and tags at the time of their delivery to him by the said clerk and the said deputy clerk in issuing such license tags and shall receive the same fees as

the county court clerk is entitled to receive. Within ten days after the issuance of such license by him the deputy clerk shall report same to the county court clerk and turn over to him all receipts for licenses so issued after having first deducted his fees therefrom, and the county court clerk shall make a record and otherwise treat said license as though it had been issued from his office, except that he shall note upon his records the name of the deputy clerk issuing said license. Each deputy clerk shall turn the book or books from which he issues licenses, together with the stubs therein properly filled out as provided for in this Act, together with all unused metal tags in his possession to the county court clerk before the first day of January of each year. All license books with the stubs attached therein, together with the unused licenses therein, shall be kept in the clerk's office of the county as public records, open at all reasonable times to the inspection of any citizen of the county.

§ 11. Any person becoming the owner after the first day of January of any year of any dog which has not already been licensed shall forthwith apply for and secure a license for such dog in the same manner as the annual license is obtained under the provisions of this Act.

§ 12. Whenever the ownership of any dog is permanently transferred from one person to another within the same county the license of such dog may be likewise transferred upon notice given to the county court clerk and upon receipt of such notice the county court clerk shall endorse on the stub of such license the statement showing such transfer, the date of the same, and to whose name transferred, but it shall not be necessary under this Act to secure a new license or to transfer a license already secured when the possession of a dog is temporarily for the purpose of hunting game or for breeding, trial or show, transferred in said county.

§ 13. Whenever any dog licensed in one county is permanently removed to another county where this Act is in effect, the county court clerk of the county where the license was obtained shall, upon application of the owner or keeper of such dog, certify such license to the county court clerk of the county to which the dog is removed. Such county court

clerk shall thereupon and upon the payment of a fee of twenty-five (25) cents, issue a license and tag for such dog in the county to which it is removed. This section does not apply to dogs used during the hunting season for hunting game, nor temporarily for breeding, trial or show, in any county in the Commonwealth, nor for the transportation of dogs for hunting, breeding, trial or show purposes, the home county license holding good for such purposes throughout the Commonwealth.

§ 14. Any person who keeps or operates a kennel may, in lieu of a license for each dog required by this Act, apply to the county court clerk for a kennel license entitling him to keep and operate a kennel. Such license shall be issued by the county court clerk upon a form prepared by him and shall entitle the licensee to keep any number of dogs not at any time exceeding a certain number, to be specified in the license. The fee to be paid for each kennel shall be $10.00 for ten dogs or less, and $25.00 for more than ten dogs permitted to be kept under the kennel license. Upon the issual of each kennel license the county court clerk shall also issue a number of metal tags according to the number of dogs authorized to be kept in the kennel. All such tags shall bear the name of the county issuing it, the calendar year in which it is issued and the number of the kennel license and shall be readily distinguishable from the individual license tags for the same year. The expense of preparing such kennel license tags and kennel license books shall be allowed by the fiscal court and paid for out of the county dog fund.

§ 15. The licensee of a kennel shall at all times keep one of such tags attached to the collar of each dog kept by him under the kennel license and such tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel. No dog bearing the kennel tag shall be permitted to stray or be taken anywhere outside of the limits of the kennel, except for the purposes of hunting, breeding, trial or show.

§ 16. The county court clerk shall cause to be published by precincts, in one newspaper in his county, not later than the first day of March of each year, a list of names of all

owners who have paid for licenses, as provided for in this act, and said list shall give the post office address of each owner and the number of dogs on which he has paid license.

§ 17. The county court clerk or his deputy, in the event such deputy issued the license, shall receive a fee of twenty-five cents for each and every license issued by them respectively to be paid for out of the license fee and deducted therefrom at the time of the collection of the same.

§ 18. In any county where this act has been made effective by the order of the fiscal court it shall be unlawful after the first day of January, in any year during which the said act is effective, for any person to own, harbor or keep any dog unless such dog is licensed and tagged as required by the provisions of this act. It shall be the duty of the sheriff of any county where this act is effective, and of all of his deputies, to kill any dog or dogs wherever found in said county which have not been tagged as provided for in this act, and it shall likewise be the duty of the sheriff and his deputies to go upon the premises of any person for the purpose of ascertaining if such person is the owner of or keeper or harborer of any unlicensed and untagged dog or dogs, and if such is found it shall be the duty of the said officer to immediately seize and kill same, and he shall report his conduct under this act within five days to the county judge of the county, giving the date each dog was killed, and, where known, the name of the owner or the person keeping or harboring such dog. The sheriff, or his deputy, as the case may be, shall receive a fee of $1.00 for each dog so killed. which shall be allowed by the fiscal court and paid out of the county dog fund.

§ 19. For failure to perform any duty under the provisions of the previous section of this act any officer shall be liable to a penalty of not less than $5.00 nor more than $20.00 for each offense, which amount shall be deducted from any amount due such officer from the county, in any settlement between the officer and the county, and if it appears that nothing be due then the same shall be collected as any other fine is collected.

§ 20. Any person in any county where this law is in effect shall have the right to kill any dog which he sees in the act of pursuing, worrying or wounding any live stock or at-

tacking human beings, whether or not such dog bears the license tag provided by this act, and there shall be no liability on such person, in damages, or otherwise, for such killing in any county where this law is in effect. Any dog that enters any field where this law is in effect, unaccompanied by its owner shall constitute a private nuisance, and the owner or tenant of such field, or his agent or servant, may kill such dog while it is in the field without liability or responsibility of any nature for such killing, but licensed dogs, when accompanied by the owner, shall not be included under the provisions of this section, unless caught in the act of worrying, injuring or killing live stock or attacking human beings.

§ 21. It shall be unlawful for any person, except the owner or his authorized agent, to remove the tags from dog collars, or to remove any collars with license tags attached thereto from any dog.

§ 22. In all counties where this act is in effect the owner or keeper of every dog shall keep at all times between sunset and sunrise of each day, such dog—either (a) confined within an enclosure from which it cannot escape, or (b) firmly secured by means of a collar and chain, or block attached, or other device so that it cannot stray beyond the premises on which it is secured, or (c) under the reasonable control of some person, or when engaged in lawful hunting, accompanied by an owner or handler. Any dog found or discovered off the premises of the owner between sunset and sunrise, unaccompanied by the owner, shall be considered as being an unlicensed dog and may be killed by the one so finding said dog or dogs.

§ 23. In any county where this act is in effect whenever any person sustains any loss or damage to any live stock or poultry by dogs, or any live stock of any person is necessarily destroyed because of having been bitten by a dog, such person or his agent, or attorney may complain to the county judge, or to any justice of the peace. Such complaint shall be in writing, shall be signed by the person making such complaint and shall state when, where and how such damage was done, and by whose dog or dogs, if known. Such county judge or justice of the peace, shall appoint two appraisers whose duty it shall be to investigate and ascertain the amount of

damages sustained. Said appraisers shall be resident landowners of the county and not related to claimant by either blood or marriage. Said appraisers shall examine the place where the alleged loss or damage was sustained and the live stock or poultry killed or injured, and shall also examine under oath or affirmation any witness called before them. After making diligent inquiry in relation to such claim, said appraisers shall determine whether any damage has been sustained and the amount thereof, and if possible, who was the owner of the dog or dogs by which such damage was done, and shall forthwith make a written report of this investigation and findings to the county judge or justice of the peace appointing them.

Any owner or keeper of such dog or dogs shall be liable to the county in which the damage occurred to such live stock or poultry in a civil action for all damages and costs, and the owner who suffers the loss shall be reimbursed out of said county dog fund of the county in which said damage occurred.

§ 24. Upon making the examination required in Section 23 of this Act, the county judge or magistrate shall immediately make a certificate thereto, signed and sealed by him, that such appraisement was regularly and duly made. If, by such examination, it appears that any damage has been sustained by the claimant, the county judge, or justice of the peace, shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney, upon payment of the costs up to that time. Such reports shall be delivered to the county court clerk to be filed in his office.

§ 25. The county court clerk of the county receiving such report, if it appears thereby that a certain amount of damage has been sustained by the claimant, shall immediately draw his order on the treasurer of the county in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report, together with necessary and proper costs incurred. Such amount shall be paid out of the county dog fund. No person shall receive any order for any claim or be paid for any claim until the county judge or the justice of the peace before whom the claim was made has certified that due diligence has been made to ascertain whose dog

or dogs did the damage, nor until the appraisers shall have filed a report with the county judge or the justice of the peace as provided for in Section 23 of this Act.

§ 26. When any payment is made by the county for any live stock bitten by a dog, such payment shall not exceed one hundred dollars for each horse, or mule, fifty dollars for each head of cattle, or fifteen dollars for each head of swine, or fifteen dollars for each head of grade sheep, or ten dollars for each head of grade lamb, or twenty-five dollars for each head of registered sheep, or fifteen dollars for each head of registered or eligible-to-be-registered lamb. All claims, or parts of claims, remaining unpaid for any reason at the close of the year shall not abate but shall continue as claims until paid in full.

§ 27. It is unlawful for any person knowingly to make any false statement or to conceal any fact required to be disclosed under any provisions of this Act.

§ 28. In any proceedings under this Act the burden of proof of the facts that a dog has been licensed, or has been imported for hunting, breeding, trial or show purposes, shall be on the owner of such dog. Any dog not bearing a license tag shall prima facie be deemed to be unlicensed.

§ 29. Nothing in this Act shall be construed to prevent the owner of a licensed dog from recovering by appropriate action at law the value of any dog which has been illegally killed by any officer, farmer, stockman, or other person in this Commonwealth from such officer, farmer, stockman or other person.

§ 30. Nothing in this Act shall be construed to prevent the killing of dogs caught chasing deer at any time whether on either public or private lands, or to prevent the killing of dogs by any officer empowered to enforce the game laws of this Commonwealth when said dogs are pursuing game during the closed season for the training of dogs on game, provided said dogs are not under the control or accompanied by the owner or keeper, and also provided that legal notice has previously been given said owner or keeper as provided by the game laws of the Commonwealth.

§ 31. All money collected in any county under the provisions of this Act, whether from licenses or from fines, after deduction of officer's fees and commissions as provided for by law, shall be known as the county dog fund and shall be held by the treasurer of the county separate and distinct from the other funds of the county, and after deduction of all amounts paid out by law for damages, compensation and other expenses, provided for in this Act, the surplus shall be paid over to the common school fund of the county.

§ 32. For the purpose of this Act, the term live stock shall include horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids and swine.

The term poultry shall include all domestic fowl.

The word "owner" when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his possession, and every person who permits such dog to remain on or about any premises occupied by him.

§ 33. In any county where this Act has been put into effect any person, except where a different penalty is provided for in this Act, who fails or refuses to comply with any provision of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be adjudged to pay a fine of not exceeding $100 or to undergo imprisonment of not exceeding three months, or both, at the discretion of the court or jury trying such case. All fines collected under the provisions of this Act, after the deduction of the commissions now allowed by law, shall be forthwith paid to the treasurer of the county and credited to the county dog fund.

§ 34. All laws and parts of laws in conflict with this Act, and especially all of Chapter CXII of the Acts of 1918, are hereby repealed, but nothing in this Act shall be construed to exempt any person during the year 1920 from the operation of said Chapter CXII of the Acts of the General Assembly of 1918.

Mr. Hamilton offered amendment No. 1, as follows:

Additional section to House Bill No. 274:

A license of 2 cents per gallon shall be paid on each and every gallon of gasoline or substitute thereof that is used for disinfecting the dog or the kennels.

Mr. Wash made the point of order that said amendment was not germane to the bill.

The Speaker ruled that the point was well taken and that the amendment was out of order.

Mr. Lazarus moved the previous question.

The Speaker stated: "Shall the main question now be ordered?"

The question was decided in the negative.

Mr. Hamilton offered amendment No. 2, as follows:

Provided, that each dog shall carry between the hours of sunset and sunrise 2 white head lights and 1 red tail light, and shall blow twice distinctly on approaching railroad crossing, street crossing and interurban station.

The Speaker ruled that said amendment was not germane to the bill and was therefore out of order.

Mr. Hamilton offered amendment No. 3, as follows:

Additional section to House Bill No. 274:

A tax on all dogs shall be levied and collected at the following rates:

$ 1.00 for dogs.
$ 2.00 for bitches.
$10.00 for Republicans.

Said amendment was disagreed to.

Mr. Ballard offered amendment No. 4, as follows:

Amend House Bill No. 274, Section 2, in line 5, after the word "rates," by striking therefrom all the remainder of said section and inserting in lieu thereof the following words: "for each male dog one ($1.00) dollar and for each female dog two ($2.00) dollars.

Said amendment was agreed to.

Mr. Ballard offered amendment No. 5, as follows:

Amend House Bill No. 274, in Section 4, and line 10 by striking from said line the words "fifteen cents" and insert in lieu thereof the words "five cents."

Said amendment was agreed to.

Mr. Ballard offered amendment No. 6, as follows:

Amend House Bill No. 274, Section 17, line 2, by striking from said line the words "twenty-five cents" and insert in lieu thereof the words "ten cents."

Said amendment was agreed to.

Mr. Ballard offered amendment No. 7, as follows:

Amend House Bill No. 274, Section 20, in line 6, after the word "effect" by striking therefrom all the remainder of said section.

Said amendment was agreed to.

Mr. Ballard offered amendment No. 8, as follows:

Amend House Bill 274, Section 15, after the words "from the kennel," in line 4, by striking therefrom all the remainder of said section.

Said amendment was disagreed to.

Mr. Waggoner offered amendment No. 9, as follows:

Section 35. Whereas, certain sections of this State are demanding that the present dog law be repealed, and it is

important that this law be settled as soon as possible, this Act shall become effective from and after its passage and approval by the Governor.

Said amendment was disagreed to.

Mr. Waggoner offered amendment No. 10, as follows:

That each dog which attempts to cross the county line from a free-dog county into a dog-tax county shall carry a red light and give ten distinct barks before he invades a flock of sheep therein.

Said amendment was disagreed to.

Mr. Reynolds offered amendment No. 11, as follows:

Amend House Bill 274 by adding Section 35 as follows: This Act shall not take effect until January 1, 1922.

Said amendment was disagreed to.

Mr. Murphy offered amendment No. 12, as follows:

Amend House Bill 274 by adding after the end of Section 34 the following: Owing to urgent need of this law, an emergency is hereby declared, and this will take effect from and after its passage.

This amendment was disagreed to.

Dr. Ryans offered the following amendment, No. 13:

Amend House Bill 274 by striking out all of section twenty-two.

Said amendment was disagreed to.

Dr. Ryans offered amendment No. 14, as follows:

Amend House Bill by striking out all sections 2 to 34 inclusive.

Said amendment was disagreed to.

Mr. Waggoner offered amendment No. 15, as follows:

Provided that such county that vote against the dog-tax shall build a barb-wire fence ten feet high between it and adjoining counties, so that sheep-killing dogs may not invade the flocks across county lines.

The Speaker ruled that said amendment was out of order.

Mr. Holliday offered amendment No. 16, as follows:

Amend House Bill 274, on page two, paragraph 2, line 5, by striking from same the words "for the first male dog $1.00," and inserting in lieu thereof the following: "Each family shall have one male dog free from taxation; for the first female dog $2.00; for each additional male dog $2.00, and for each additional female dog $4.00."

Said amendment was disagreed to.

Mr. Wheeler offered amendment No. 17, as follows:

Amend House Bill 274 by striking out all of House Bill 274 and substituting therefor the following:

On or before the first day of January, one thousand nine hundred and twenty-one, and on or before the first day of January of each year thereafter, the owner of any dog shall apply to the county court clerk or deputy county clerk, as hereinafter provided, of the county in which said owner resides, either orally or in writing, for a license for each such dog owned or kept by him. Such application shall state the breed, sex, age, color and marking of such dog, and the name and address of the last previous owner, and shall be accompanied by a fee of $1 dollar for the first male dog for which license is applied for by the owner, and by a fee of $3 dollars for the first female dog for which license is applied by the owner, and by a fee of $4 dollars for each male dog and a fee of $5 dollars for each female for which license is applied sub-

sequent and in addition to the first male or female licensed as above provided for.

§ 2. Provided, however, that each housekeeper with a family residing in the state of Kentucky shall be permitted to keep and own one dog upon which no license fee or tax shall be charged, but such owner shall make application to the county court clerk or deputy county clerk of the county in which said owner resides, either orally or in writing, for a free license for one dog. Such application shall state the breed, sex, age, color and markings of such dog and the name and address of the last previous owner. The owner shall file with said application an affidavit stating that the said owner is a housekeeper and describing the place of his residence, then in that event the clerk shall issue a license for said one dog without charging any fee or collecting license tax therefor, and he shall give to the owner of said dog a metal tag, which, in addition to the markings required under section 68-b-6 of this act, shall also have impressed thereon the word "free." This procedure must be followed on or before the first day of January 1921, and on or before the first day of each year thereafter.

§ 3. In the event that a housekeeper who is permitted to have, own and keep in his possession one dog free from tax shall have or own more than one dog, then he shall be required to pay the same license fee or tax as hereinbefore provided for the second or any additional dog or dogs he may own or have in his possession.

§ 4. All Acts or parts of Acts in conflict herewith are hereby repealed.

Said amendment was disagreed to.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the constitution were as follows, viz:

Those who voted in the affirmative were:

L. H. Ballard	J. W. Johnson	Dr. Lewis Ryans
S. M. Bennett	Henry Kaufman	E. E. Shannon
Jo F. Bosworth	Hebron Lawrence	S. G. Smith
Rodney G. Bryson	Joseph Lazarus	R. Lee Stewart
Roy J. Cain	R. C. Marcum	Wm. A. Stewart
W. T. Carner	J. S. Mason	T. R. Stultz
J. F. Carr	A. J. McCandless	C. B. Truesdell
H. N. Dean	R. L. McFarron	John L. Trumbo
J. B. Denues	H. C. McLellen	Daniel Vose
Dr. T. H. Gamblin	John T. Murphy	J. S. Webb
B. J. Geohringer	Estill W. Neel	Gladstone Wesley
A. F. Hanberry	T. C. Pryse	R. E. Wilborn
A. R. Hudson	Sherman Robbins	V. M. Williamson
Adam W. Huff	Lee Rogers	Dr. W. S. Yazell
R. O. Huntsman	B. A. Roth	—44

Those who voted in the negative were:

Lon Adams	W. L. Kimbrough	Dr. B. F. Shields
H. H. Barnes	J. M. Knott	H. A. Spillman
W. T. Beckham	Dr. S. D. Laughlin	John T. E. Stites
W. M. Boling	Rev. J. A. Lee	John W. Swope
T. L. Caudel	Elmer Lusby	John B. Thomas
B. L. Cox	Harry J. Meyers	J. Mack Thompson
J. S. Cruse	Claude D. Minor	J. H. Thompson
P. A. Day	Mack J. Morgan	Dr. D. J. Travis
H. C. Duffy	Chas. A. Nelson	J. Wood Vance
J. W. Geveden	T. P. Oliver	Geo. C. Waggoner
Dr. W. L. Gossett	S. C. Ray	A. M. Wash
A. L. Hamilton	B. F. Reynolds	Dr. T. R. Welch
D. J. Howard	Chas. R. Scott	W. G. Wheeler
Griffin Kelly	W. P. Scott	W. N. Winn
		—42

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus called up House Resolution No. 31, moved that the rules be suspended and that said resolution be placed upon its passage.

Said motion was agreed to.

Said resolution reads as follows:

A Resolution providing a copy of the House and Senate Journals of the present session for the use of the Louisville Law Library, Louisville, Kentucky.

Whereas, a request has been made by the President of the Louisville Law Library Company for a copy of the Senate and House Journals of the session of 1920 for the use of said Louisville Law Library; Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring, that a copy of the Senate and House Journals of the session of 1920 be furnished to the Louisville Law Library, and that the Clerks of this General Assembly be instructed to place the said Louisville Law Library on the list of parties to whom such Journals are regularly furnished.

Said resolution was adopted viva voce.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz:

House Bill No. 465. An Act to amend and re-enact Section 10 of Chapter LIV of the Acts of the General Assembly of 1918, which relates to the establishment of a farm colony for the feeble-minded, and the purchase of land therefor.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 10 of Chapter LIV of the Acts of the General Assembly of 1918, be and the same is hereby amended and re-enacted so that same will read as follows:

The farm colony shall be located upon a site duly selected by the State Board of Control or any board which may have succeeded to its powers and duties, consisting of at least four hundred and fifty (450) acres, and selected with due regard to the purposes for which it is intended; said farm to cost not in excess of one hundred and thirty ($130.00) dollars an acre, and there is hereby appropriated out of the State Treasury from moneys not otherwise appropriated, such sum as may be necessary for the purchase of said land.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	W. P. Scott
L. H. Ballard	W. L. Kimbrough	E. E. Shannon

H. H. Barnes
S. M. Bennett
Roy J. Cain
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
B. L. Cox
J. S. Cruse
P. A. Day
H. N. Dean
Dr. W. L. Gossett
A. F. Hanberry
Talbert Holliday
D. J. Howard
A. R. Hudson
Robt. Humphreys
R. O. Huntsman
J. W. Johnson
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
John T, Murphy
Estill W. Neel
T. P. Oliver
T. C. Pryse
S. C. Ray
B. F. Reynolds
J. L. Richardson
Sherman Robbins
B. A. Roth
Dr. B. F. Shields
S. G. Smith
Wm. A. Stewart
John T. E. Stites
T. R. Stultz
John W. Swope
John B. Thomas
J. Mack Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
Daniel Vose
Geo. C. Waggoner
A. M. Wash
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler
Dr. W. S. Yazell
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Those who voted in the negative were:

Frank Kennard —1

Resolved that the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, moved that the House take up for consideration House Bill No. 380.

Said motion was agreed to.

Then the House took up for consideration from the Orders of the Day a bill entitled,

House Bill No. 380. An Act to provide the pupils of the public schools of Kentucky with free text books and providing for rules governing the use and distribution and care thereof and providing for the payment thereof:

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. (a) The State of Kentucky shall hereafter, through the Department of Education, the Superintendent of Public Instruction, State Board of Education, County Superintendent of Schools of the respective counties of the State and the various School Boards, Trustees, Boards of Education and teachers of schools of the various educational divisions and sub-divisions of the State, as herein specified, provide and furnish at State expense to all pupils of the public schools of this Commonwealth all the proper and necessary textbooks, according to the adoptions in such school districts, under rules and regulations as may be adopted by the State Board of Education and in compliance with the provisions of this Act.

(b) All such books so furnished shall be and remain the property of the State, and loaned under the provisions of this Act to the pupils of the public schools of the State while pursuing a course of study therein, and all such pupils, their parents and guardians, shall be responsible, under reasonable penalties fixed by the State Board of Education not inconsistent with the provisions of this Act and accountable to the governing authority of such school for any damage to, loss or failure to return such books at the time, and to the person that may be designated by such governing authority, Provided, however, that nothing in this Act shall be construed to prohibit any pupil or parent from purchasing from the custodian of such books, any book, that they may desire for their use at cost, and Provided further that no book or books shall be sold or otherwise disposed of at any price less than cost, and all damage to books must be collected, when such damage is discovered, and accounted for as herein provided.

(c) The word "textbook" as herein used shall be construed to include all necessary maps and charts and the regular and supplementary texts adopted by the lawful authorities of such school, and the word "Board" as herein used shall be construed to include Trustee, Board of Trustees and Board of Education as now constituted and provided by law as the fiscal officers of such school districts.

(d) The governing authorities of each school in the State shall, on or before the beginning of the next school term in their respective districts, furnish one or more substantial and suitable book cases or cabinets, provided with a door and a lock and key, in which all books allotted and issued to such school shall be kept when not in use, and shall pay for same out of the general school funds of such districts as other school equipment is now provided and paid for. The Trustee, Board of Trustees or Board of Education having charge and control of each school shall be held responsible for the safekeeping and good care of all books furnished to such district under the provisions of this Act, and shall be responsible for the carrying out of the rules and regulations of the State Board of Education governing the use of such books.

(e) The books for a school may, by the governing authority of such school, at the beginning of the school term, be invoiced to the principal of such school, taking his duplicate receipt therefor, and such principal shall thereupon become responsible to such governing authority for all of such books so invoiced to and received by him, and at the expiration of the school term shall invoice the same back to such governing authority, taking a duplicate receipt therefor, and no teacher to whom such books have been issued shall be paid the last school month's salary until all such books have been satisfactorily accounted for and evidenced by such receipt. Copies of the receipts above referred to shall immediately upon their issual be filed with the Treasurer of the school district or County Superintendent.

The principal of such school shall issue to each teacher the books needed for the pupils under such teacher, and he shall, in a book to be furnished by the Department of Education, keep a record of all books received, issued and returned

and otherwise disposed of, and each teacher shall in a proper book furnished as above, keep a record of all books received and issued to the pupils, when returned and in what condition, and all such teachers shall be held responsible to the principal for all books issued to them, and shall hold the pupils to whom they are issued, and their parents or guardians, responsible for the books issued to them under such rules as may be adopted and established by the State Board of Education, and at the end of the school term such teachers shall invoice back to the principal or account for all books issued to them, under the same penalties as provided in the preceding paragraph.

(f) Nothing in this Act shall be construed to alter or change the methods of adoption of textbooks now in force in this State, nor to interfere with or invalidate existing contracts, except that the twenty per cent. (20%) now allowed by law to dealers shall not hereafter be charged, and such books purchased under this Act shall be billed and paid for at the cost price thereof without the payment of any commission to dealers, such cost price to include the contract price and any additional cost of transportation and distribution.

§ 2. That the system of free textbooks, herein provided for, may become effective and be established without creating a deficiency in the "free book fund," and without entailing an undue hardship upon the governing authorities of the various schools and the Department of Education, this act shall become effective, and the system herein provided be adopted and established in the year 1920 in the first four grades of all the public schools of the state, and for the year 1921 shall be extended so as to include the sixth grade, and for the year 1922 shall be extended so as to include all the books for all public schools up to and including the eighth grade, and in the year 1923 shall be extended so as to include the books adopted and in use in the public schools of the state.

§ 3. The State Superintendent of Public Instruction shall, upon proper requisition of the county school superintendent of the various counties of the state, and the boards of education of such cities therein as are authorized to adopt their own text books, shall furnish to the boards of education

of such cities and the county superintendent of such counties, all the requisite and necessary books for the pupils of the public schools of such cities and counties, and shall certify the cost of same to the State Auditor, accompanied by the county superintendent's receipt and the receipt of the boards of education of such cities, for said books, who shall draw his warrant in payment therefor upon the State Treasurer, who shall pay such warrants out of the free text book fund belonging to each of such respective counties and kept by him for such purpose only.

§ 4. The county superintendent of schools of each county and the superintendent of public schools of each city constituting a school district are hereby empowered, and it is made their duty, on or before the 15th day of June of each year, and after the completion of the school census in such city or county, to furnish to Superintendent of Public Instruction a complete list of all text books necessary for the public schools of such city or county, and the State Superintendent of Public Instruction shall cause said books to be issued direct to such superintendent or to the governing authorities of such schools, as such city or county superintendent may direct. The county and city superintendent of schools, boards of trustees, boards of education, trustees, teachers and all other officials of the Commonwealth having to do with said books shall be responsible therefor, and their records shall account for every book issued to them and how disposed of. All such trustees, boards of education and boards of trustees shall issue to the county superintendent their duplicate receipts for all books received, according to the invoice thereof, one of which receipts shall be preserved in his office and the other filed with the Superintendent of Public Instruction along with his annual report herein provided for. The county superintendent shall issue to the Superintendent of Public Instruction his duplicate receipt for all books issued to and received by his county on his requisition, one of which shall be retained by the Superintendent of Public Instruction and the other filed with the Auditor of Public Accounts before any warrant in payment of such books shall be drawn.

§ 5. All moneys for lost or damaged books or in payment for books purchased shall be paid to the one who was at the time the custodian of the books and from whom such books were secured, and by such person turned over to the governing authorities of such school, who shall, not later than ten days after the close of the school, make a report to the superintendent of schools of the county or city, which shall be attested by the principal teacher of such school for which such report is made, stating the number of books of each kind on hand at the beginning of the school year, the number received during the year, the number lost, destroyed, sold, damaged or otherwise consumed, the number of pupils enrolled and using each kind of book during the year, the requisition for books for the following year, his reasons and explanations therefor, and his report of visits and inspections of the school and its operation; the amount of moneys collected from sale, damage or loss of books, and from whom received, and pay same over to the superintendent and take his receipt therefor.

The city or county superintendent of schools shall, not later than the 15th day of June, annually, make a report in duplicate, which shall accompany his requisition for books for the ensuing year, to the Superintendent of Public Instruction, stating the number of books of each kind on hand in the schools of his county or city, and in his office at the beginning of the year, the number received during the year, the disposition thereof and attach the receipts therefor, the number lost, destroyed, damaged, sold or otherwise disposed of, the enrollment of pupils, showing the number that have used each kind of book, the requirements of his county for the following year, with his check for all moneys collected by him or by the governing authorities of the schools of his county or city from the sale or other disposition of books, and he shall state the amounts thus collected, by whom and from whom, and for what collected. Said check shall be made payable to the State Treasurer who shall place same to the credit of the free book fund for such county.

The State Superintendent of Public Instruction shall transmit a copy of said annual reports to the State Examin-

er and Inspector, within a reasonable time thereafter, not later than December 1st following, together with his written report of his investigations of the school affairs of the respective cities and counties, and his findings made and had upon said investigations and reports, and these records shall be kept and preserved as public records by the State Inspector and Examiner.

§ 6. For the purpose of providing funds with which to carry this act into effect, an annual ad valorem tax of four and one-half cents (4 1-2) on each one hundred ($100.00) dollars of value of all property directed to be assessed for taxation as provided by an act of the General Assembly of the Commonwealth of Kentucky, approved May 2, 1917, and being Chapter XI of the Special Session Laws of 1917, as amended by the act approved March 5, 1918 (Chapter IV), is hereby levied and shall be paid by the owner, person or corporation assessed, and such funds shall be apportioned by the Auditor of Public Accounts to each county as the common school funds are now by law apportioned, and covered into the state treasury and to be by the Treasurer held as a special fund, and to be paid out only for the purposes provided for by this act, and shall be known as the "free textbook fund."

§ 7. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Mr. Geohringer offered the following amendment:

Amend section 2 on page 4, lines 1 to 12 inclusive, by way of substitute, so that when amended Section 2 shall read as follows:

That the system of free text books, herein provided for, may become effective and be established without creating a deficiency in the "free book fund," and without entailing an undue hardship upon the governing authorities of the various schools and the Department of Education, this act shall become effective, and the system herein provided be adopted and established in the year 1921 in the first and second grades, of all the public schools of the State, and for the year 1922

shall be extended to include the third and fourth grades, and for the year 1923 shall be extended to include the fifth and sixth grades, and for the year 1924 shall be extended so as to include all the books for all public schools up to and including the eighth grade, and in the year 1925 shall be extended so as to include the books adopted and in use in the public schools of the state.

Said amendment was agreed to.

Mr. Geohringer offered the following amendment:

Amend section 6 on page 7, by striking out the entire section.

Said amendment was agreed to.

Mr. Murphy offered the following amendment:

Amend House Bill 380 by inserting the following after section seven: This shall apply to text books used in state normal schools and state university.

Said amendment was disagreed to.

Ordered that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispended with.

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

S. M. Bennett
W. M. Boling
Jo F. Bosworth
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
Charles M. Ciarlo
J. S. Cruse
H. N. Dean
J. B. Denues
B. J. Geohringer
A. F. Hanberry
Talbert Holliday
A. R. Hudson
Adam W. Huff
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Frank Kennard
W. L. Kimbrough
Hebron Lawrence
Joseph Lazarus
R. C. Marcum
I. S. Mason
A. J. McCandless
H. C. McClellan
Estill W. Neel
T. P. Oliver
T. C. Pryse
S. C. Ray
J. L. Richardson
Sherman Robbins
B. A. Roth
Dr. Lewis Ryans
W. P. Scott
E. E. Shannon
S. G. Smith
R. Lee Stewart
Wm. A. Stewart
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
A. M. Wash
J. S. Webb
Gladstone Wesley
V. M. Williamson
Dr. W. S. Yazell
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Those who voted in the negative were:

Lon Adams
L. H. Ballard
H. H. Barnes
T. L. Caudel
B. L. Cox
P. A. Day
H. C. Duffy
Dr. W. L. Gossett
A. L. Hamilton
Dr. W. L. Haynes
D. J. Howard
Robt. Humphreys
Griffin Kelly
J. M. Knott
Dr. S. D. Laughlin
John T. Murphy
Chas. A. Nelson
B. F. Reynolds
Lee Rogers
Chas. R. Scott
Dr. B. F. Shields
H. A. Spillman
John T. E. Stites
T. R. Stultz
John W. Swope
John B. Thomas
J. Mack Thompson
J. H. Thompson
Dr. T. R. Welch
W. G. Wheeler
W. N. Winn
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Mr. Geohringer offered the following amendment to the title:

Amend House Bill 380 by amending the title thereof, so when amended shall read as follows:

"An Act to provide the pupils of the public schools of Kentucky with free text books and providing for rules governing the use and distribution and care thereof."

Said amendment was agreed to.

Resolved that the title of said bill be as amended.

Mr. Hudson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, moved that the following bills be read the first time and placed in the calendar:

House Bill No. 13, entitled: An Act to repeal and reenact Sections 3382 and 3383 of Carroll's 1915 Kentucky Statutes, relating to the time of appointment and meeting of the Board of Tax Supervisors in cities of the third class.

House Bill No. 148, entitled: An Act to repeal Chapter LXXXV-a, section 2651-a of Carroll's Statutes, entitled "Merchandise—To Regulate Sale of in Bulk," and to enact a law in lieu thereof to regulate the sales in bulk of stocks of merchandise or fixtures or stocks and fixtures and to prescribe penalties for the violation thereof.

House Bill No. 477, entitled: An Act to amend and reenact Section 518, Civil Code of Practice, relating to the modification of judgment after term by court rendering it.

House Bill No. 528, entitled: An Act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

House Bill No. 519, entitled: An Act to repeal and re-enact Section 1309, Kentucky Statutes, Carroll's Edition, 1915, prescribing penalties for carrying upon or about the person a concealed deadly weapon.

House Bill No. 425, entitled: An Act to amend Section 1 of Chapter CXXI, Acts of 1918, entitled, an Act to amend an Act, entitled an Act to amend an Act, entitled an Act to repeal and re-enact an Act, entitled an Act granting pensions to indigent and disabled Confederate soldiers, and which is Section 415-b-6, Chapter XXII-b Carroll's Kentucky Statutes, 1915, Volume 3.

Senate Bill No. 149, entitled: An Act relating to public health; to provide state aid for the acquisition, construction, equipment and maintenance of tuberculosis district sanatoria in this Commonwealth and in making improvements, betterments and additions thereto.

Said motion was agreed to.

Said bills were severally read the first time and placed in the calendar.

Dr. Ryans moved that the House do now adjourn.

Said motion was lost.

Mr. Lazarus moved that the calendar be read and that the bills in the calendar be read by their titles only.

Said motion was agreed to.

Then the House took up for consideration from the calendar the following bills.

Senate Bill No. 57, entitled: An Act to amend an Act approved February 26, 1912, entitled "An Act to amend an Act approved March 8, 1904, entitled 'An Act for the relief of the Court of Appeals, approved, October 5, 1900,'" and which is now Section 962-a, Carroll's Kentucky Statutes, 1915 Edition.

Senate Bill No. 1, entitled: An Act to provide wash rooms in certain employments to protect the health of employees and secure public comfort.

Senate Bill No. 28, entitled: An Act to amend Sections 4, 16, 17, 42-b and 83 of an act entitled, "An Act to provide an elective system of Workmen's Compensation for Industrial accidents," and known as Chapter XXXIII of the acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23, 1916, and the same act as amended by what is known as Chapter CLXXVI of the acts of the General Assembly of the Commonwealth of Kentucky, for the year 1918, and approved by the Governor March 29, 1918. Said sections as amended, and to be amended by this act, are known as Sections 4883, 4897, 4898, 4925 and 4968 of Carroll's Statutes, Volume 3, 1918 Edition.

House Bill No. 534, entitled: An Act relating to Roads and Bridges in the Commonwealth of Kentucky, and designating centers of construction.

House Bill No. 511, entitled: An Act to permit banks authorized to do business in Kentucky to act as fiduciaries.

House Bill No. 517, entitled: An Act to amend and re-enact section 26 of Chapter CLXVII of the Acts of 1918, entitled, "An Act to amend and re-enact section 26 and to repeal section 27 of Chapter CXXXVII of the Acts of 1912, entitled 'An Act creating Boards of Education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith,' approved March 19, 1912."

Senate Bill No. 256, entitled: An Act creating the position of member ex-officio of the Board of Trustees of the University of Kentucky.

House Bill No. 445, entitled: An Act requiring hotel and innkeepers to keep posted in a conspicuous place in each room under their charge a printed statement showing the price to be charged the guest occupying said room per day and prescribing the penalties for the violation thereof.

House Bill No. 326, entitled: An Act to amend Section 1155, Kentucky Statutes, Carroll's Edition, 1915, relating to unlawful sexual intercourse with minors under eighteen years of age, including both sexes, and grading penalties according to age of complaining witness.

House Bill No. 500, entitled: An Act relating to the taxation of dogs, fixing the fees of the county court clerks of the various counties of the State of Kentucky, for issuing tags to the owners of dogs, and all other duties connected therewith; to fix the fees of county tax commissioners for listing said dogs and making all reports concerning same, and providing for the payment to the Commissioner of Agriculture for the dog tags and license and other material out of the funds collected from the owners of dogs, and the prohibition of the publication of the list of owners of dogs in a newspaper of any kind unless ordered by the fiscal court of the several counties.

House Bill No. 390, entitled: An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto as to joint rates.

Senate Bill No. 39, entitled: An Act entitled an Act to amend an Act approved March 20, 1914, Chapter LXIX, session 1914, Carroll's Statute, Section 2739, to regulate, license and govern use of motor vehicles and provide penalty for a violation thereof.

Senate Bill No. 90, entitled: An Act repealing Sections 177, 178, 183, 185, 186, of the Common School Law, the same being Sections 4501, 4502, 4502-a-4, 4503, respectively, of the Kentucky Statutes, Carroll's Edition, 1915, relating to the certification of teachers and granting of common school diplomas and re-enacting in lieu thereof new provisions.

Senate Bill No. 167, entitled: An Act repealing subsection 1 of section 4521-a, Kentucky Statutes, Carroll's Edition, 1915, being the same as section 213 of Chapter XVII of the common school law 1918, and also Section 216 of the common school law 1918, and enacting in lieu thereof new provisions relating to the compulsory attendance of pupil children in the common schools of this state.

Senate Bill No. 17, entitled: An Act to amend subsection 9 of section 331-e, of Chapter XVIII, Kentucky Statutes which was an act of February 24, 1894, pertaining to children, destitute or maltreated.

Senate Bill No. 45, entitled: An Act repealing subsection 2 of section 4469-a, Kentucky Statutes, Carroll's Edition, 1915, and enacting in lieu thereof a new subsection.

Said bills were severally read the second time by their titles only and ordered to be placed in the Orders of the Day.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz:

House Bill No. 116, entitled: An Act entitled: An Act providing for the submission to the voters of the State of Kentucky for their rejection or ratification, amendments to Sections 91, 93 and 95 of the Constitution of the State of Kentucky.

House Bill No. 123, entitled: An Act to amend Section 2740 and Section 2741 of Article 1, Chapter LXXXIX, Ken-

tucky Statutes, Volume 3, Supplement Carroll's Revised Edition 1916, relating to the classification of cities and towns.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Dr. Ryans moved that the House do now adjourn.

Said motion was agreed to.

Then the House, at 4:45 P. M., adjourned.

FRIDAY, MARCH 5, 1920.

The House was called to order at 10 A. M. by the Speaker.

The House was opened with prayer by Rev. S. S. Daughtry, of the Presbyterian Church, Frankfort, Kentucky.

The roll-call to ascertain the presence of a quorum resulted as follows, viz.:

Lon Adams	J. W. Johnson	Chas. R. Scott
L. H. Ballard	Henry Kaufman	W. P. Scott
W. T. Beckham	Griffin Kelly	E. E. Shannon
S. M. Bennett	Frank Kennard	Dr. B. F. Shields
W. M. Boling	W. L. Kimbrough	H. A. Spillman
Jo F. Bosworth	J. M. Knott	Wm. A. Stewart
Rodney G. Bryson	Dr. S. D. Laughlin	John T. E. Stites
Roy J. Cain	Hebron Lawrence	T. R. Stultz
W. T. Carner	Joseph Lazarus	John W. Swope
J. F. Carr	Rev. J. A. Lee	John B. Thomas
Charles M. Ciarlo	T. S. Mason	J. Mack Thompson
J. S. Cruse	A. J. McCandless	J. H. Thompson
P. A. Day	K. L. McFarron	Dr. D. J. Travis
H. N. Dean	Harry J. Meyers	C. B. Truesdell
J. B. Denues	Mack J. Morgan	John L. Trumbo
H. C. Duffy	John T. Murphy	Fred C. VanHoose
J. M. Foster	Estill W. Neel	Daniel Vose
J. W. Geveden	Chas. A. Nelson	Geo. C. Waggoner
Dr. W. L. Gossett	T. P. Oliver	A. M. Wash
A. L. Hamilton	S. C. Ray	J. S. Webb
A. F. Hanberry	B. F. Reynolds	Dr. T. R. Welch
Dr. W. L. Haynes	J. L. Richardson	Gladstone Wesley
Talbert Holliday	Sherman Robbins	W. G. Wheeler
D. J. Howard	Lee Rogers	R. E. Wilborn
A. R. Hudson	B. A. Roth	W. N. Winn
Robt. Humphreys	Dr. Lewis Ryans	Dr. W. S. Yazell

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On motion of Mr. Lazarus, the reading of the Journal of Thursday, March 4, 1920, was dispensed with and the Journal approved.

A message was received from the Senate announcing that it had passed House Bill No. 196, "An Act defining boundaries for school districts embracing cities of the fourth class, and

providing systems of schools in such districts, and creating boards of education for such districts, providing for election thereof, defining their powers and duties, and repealing all laws in conflict therewith," with the following amendment, viz.:

Amend House Bill No. 196, page 9, Section 13, by striking out after the word "year," in line 3 and before the word "he," in line 7, the following: "but wherever a superintendent shall have served one year after the appointment which is to be made under this law, and shall be reappointed to succeed himself, his reappointment shall be for a term of either two years or four years, as shall be determined by the Board of Education."

Mr. Wash moved that the House do concur in said amendment.

Said motion was agreed to.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken upon the passage of said bill as amended by the Senate were as follows, viz.:

Those who voted in the affirmative were:

H. H. Barnes	W. L. Kimbrough	Lee Rogers
S. M. Bennett	J. M. Knott	B. A. Roth
Jo F. Bosworth	Dr. S. D. Laughlin	Dr. Lewis Ryans
Rodney G. Bryson	Hebron Lawrence	W. P. Scott
J. F. Carr	Joseph Lazarus	E. E. Shannon
Charles M. Ciarlo	I. S. Mason	S. G. Smith

J. S. Cruse	A. J. McCandless	H. A. Spillman
J. B. Denues	R. L. McFarron	Wm. A. Stewart
J. M. Foster	H. C. McClellan	T. R. Stultz
A. F. Hanberry	Harry J. Meyers	C. B. Truesdell
Dr. W. L. Haynes	Mack J. Morgan	Fred C. VanHoose
Talbert Holliday	John T. Murphy	Daniel Vose
A. R. Hudson	Estill W. Neel	A. M. Wash
Adam W. Huff	S. C. Ray	J. S. Webb
Robt. Humphreys	B. F. Reynolds	Gladstone Wesley
Henry Kaufman	J. L. Richardson	R. E. Wilborn
Griffin Kelly	Sherman Robbins	Dr. W. S. Yazell

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Those who voted in the negative were:

Lon Adams	J. W. Johnson	J. Mack Thompson
L. H. Ballard	Frank Kennard	J. H. Thompson
W. T. Beckham	Rev. J. A. Lee	Dr. D. J. Travis
W. M. Boling	Chas. A. Nelson	Dr. T. R. Welch
H. C. Duffy	T. P. Oliver	W. G. Wheeler
Dr. W. L. Gossett	Dr. B. F. Shields	W. N. Winn
A. L. Hamilton	John W. Swope	
D. J. Howard	John B. Thomas	

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So the bill as amended was passed.

Mr. Lazarus moved that the vote by which said bill was amended by the Senate be reconsidered and that that motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed the following bills, viz.:

Senate Bill No. 289. An Act providing for and authorizing an appeal in all proceedings now pending in the county courts of any county of this Commonwealth, or that may hereafter be brought for the purpose of ascertaining the value of

any estate subject to the inheritance tax laws of the Commonwealth, or for the purpose of collecting the inheritance tax due by any estate.

Senate Bill No. 84. An Act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio River belonging to or controlled by the State of Kentucky, and to regulate the catching of said shells and to have authority to co-operate with the United States Government in its propagation of mussels, and imposing penalties for violation of the provisions of this Act.

Ordered, that said bills be printed for the House and referred to the Committee on Rules.

Also that the Senate had passed House Bill No. 236, "An Act for the benefit of the Kentucky State Fair and authorizing the State Board of Agriculture to bond the property owned by it for the purpose of securing funds with which to place a permanent Agricultural, Merchants and Manufacturers building upon said Kentucky State Fair Grounds."

Ordered, that said bill be enrolled.

A committee composed of Messrs. Duffy, Kaufman and Bryson to investigate the methods used to promote the passage of House Bill No. 26 offered two reports; a majority report signed by Messrs. Duffy and Kaufman, and a minority report signed by Mr. Bryson.

Said reports were read at length to the House.

Mr. Richardson moved that said reports be received and filed.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 26. An Act to license and regulate the business of making loans in sums of three hundred ($300.00) dollars or less, to individuals pressed by lack of funds to meet immediate necessities, at a greater rate of interest than six per cent. per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages for salaries earned or to be earned, when given as security for any such loan; and repealing Section 4758-a, Carroll's Kentucky Statutes (1915), and repealing so much of Section 4224, Carroll's Kentucky Statutes (1915), as is inconsistent with this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No person, co-partnership, or corporation shall engage in the business of making loans of money, credit, goods, or things in action in the amount, or to the value of three hundred ($300.00) dollars, or less, and charge, contract for, or receive a greater rate of interest than six per centum per annum therefor, except as authorized by this Act, and without first obtaining a license from the Commissioner of Banking of the Commonwealth of Kentucky, hereinafter called the licensing official.

§ 2. Application for such license shall be in writing and shall contain the full name and address, both of the residence and place of business, of the applicant, and if the applicant is a co-partnership, of every member thereof, or if a corporation of each officer thereof; also the county and municipality, with street and number, if any, where the business is to be conducted. Every such applicant at the time of making such

application, shall pay to the licensing official the sum of one hundred ($100.00) dollars, as an annual license fee, which shall be in lieu of all other occupational license fees and taxes imposed by State or local laws upon the business regulated by this Act, and which shall be in full payment of all expenses of examinations under, and administration of this Act, except as hereinafter provided for; provided, that if a license is issued for a period of less than twelve (12) months the license fee shall be pro-rated according to the number of months that said license shall run.

§ 3. The applicant shall also, at the same time, file with the licensing official a bond in which the applicant shall be obligor, in the sum of one thousand ($1,000) dollars, with one or more sureties, whose liability as such sureties, in the aggregate, shall not exceed one thousand ($1,000) dollars, to be approved by the licensing official, which bond shall run to the Commonwealth of Kentucky for the use of said Commonwealth and of any person or persons who may have a cause of action against the obligor of said bond under the provisions of this Act. Such bond shall be conditioned that said obligor will conform to and abide by each and every provision of this Act and will pay to the State and to any such person or persons, any and all moneys that may become due or owing to the State and to such person or persons, from said obligor, under and by virtue of the provisions of this Act.

§ 4. Upon the filing of such application and the approval of said bond, and the payment of said fee, the licensing official shall issue a license to the applicant to make loans in accordance with the provisions of this Act for a period which shall expire the first day of January next following the date of its issuance. Such license shall not be assignable.

§ 5. If in the opinion of the licensing official the bond shall at any time appear to be insecure, or exhausted, or otherwise doubtful, an additional bond in the sum of not more than one thousand ($1,000) dollars, satisfactory to the licensing official, shall be filed within ten (10) days after notice to the licensee, and upon failure of the obligor to file such additional bond, the license shall be revoked by the licensing official.

§ 6. The licensing official may, upon reasonable notice to the licensee and reasonable opportunity to be heard, revoke such license if the licensee has violated any provision of this Act; and in case the licensee shall be convicted by a court a second time of a violation of Section 13 of this Act, the licensing official shall revoke the license; provided that the second offense shall have occurred after a prior conviction, in which case another license shall not be issued to such licensee, nor to the husband or wife of the licensee, nor to any co-partnership or corporation of which he is a member or officer.

§ 7. The license shall be kept conspicuously posted in the place of business of the licensee.

§ 8. No person, co-partnership, or corporation so licensed shall make any loan provided for by this Act, under any other name, or at any other place of business, than that named in the license. Not more than one place of business shall be maintained under the same license, but the licensing official shall issue more than one license to the same licensee upon the payment of an additional license fee and the filing of an additional bond for each license.

§ 9. Whenever the licensee shall change his place of business he shall at once give a written notice thereof to the licensing official who shall attach to the license his approval in writing of the change.

§ 10. The licensing official for the purpose of discovering violations of this Act, may either personally, or by any person designated by him, at any time and as often as he may desire, investigate the loans and business of every licensee and of every person, co-partnership and corporation by whom, or which any such loan shall be made, whether such person, co-partnership or corporation shall act, or claim to act as principal, agent, or broker, or under, or without the authority of this Act; and for that purpose he shall have free access to the office or place of business, books, papers, records, safes and vaults of all such persons, co-partnerships and corporations. He shall also have authority to examine, under oath, all persons whomsoever, whose testimony he may require, relative to such loans or business.

§ 11. The licensee shall keep such books and records in his place of business as in the opinion of the licensing official will enable the licensing official to determine whether the provisions of this Act are being observed. Every such licensee shall preserve the records of final entry used in such business, including cards used in the card system, if any, for a period of at least two (2) years after the making of any loan recorded therein.

§ 12. No licensee, or other person, co-partnership, or corporation shall print, publish, or distribute, or cause to be printed, published, or distributed in any manner whatsoever, any written, or printed statement with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action, in amounts of three hundred ($300) dollars or less, which is false, or calculated to deceive.

§ 13. Every person, co-partnership and corporation licensed hereunder may loan any sum of money not exceeding in amount the sum of three hundred ($300) dollars to individuals pressed by lack of funds to meet immediate necessities, and may charge, contract for and receive thereon interest at a rate not to exceed three and one-half (3 1-2) per centum per month. Interest shall not be payable in advance, or compounded, and shall be computed on unpaid balances. In addition to the interest herein provided for, no further or other charge, or amount whatsoever, for any examination, service, brokerage, commission, or other thing, or otherwise, shall be directly, or indirectly charged, contracted for, or received, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer, for filing, or recording, or releasing in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter. If interest, or charges in excess of those permitted by this Act shall be charged, contracted for, or received, the contract of loan shall be void and the licensee shall have no right to collect, or receive any principal, interest, or charges whatsoever. No person shall owe any licensee, as such, at any time more than three hundred ($300) dollars for principal.

§ 14. Every licensee shall: Deliver to the borrower at the time a loan is made, a statement in the English language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the licensee and the rate of interest charged. Upon such statement there shall be printed in English a copy of Section 13 of this Act;

Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made;

Upon repayment of the loan in full, mark indelibly every paper signed by the borrower with the word "Paid" or "Cancelled," and release any mortgage, restore any pledge, cancel and return any note or any assignment given by the borrowers as security; provided, however, that this clause shall not apply to any such papers as have been filed as exhibits in any court in a suit brought to enforce payment of the loan.

§ 15. No licensee shall take any confession of judgment, or any power of attorney, nor shall he take any note, promise to pay, or security that does not state the actual amount of the loan, the time for which it is made and the rate of interest charged, nor any instrument in which blanks are left to be filled after execution.

§ 16. No assignment of or order for the payment of any salary, wages, commissions or other compensation for services, earned or to be earned, given to secure any such loan shall be valid unless such loan is contracted simultaneously with its execution; nor shall any such assignment, or order, or any chattel mortgage or other lien on household furniture then in the possession and use of the borrower, be valid, unless in writing signed in person by the borrower; nor, if the borrower is married, unless signed in person by both husband and wife; provided, that written assent of a spouse shall not be required when husband and wife have been living separate and apart for a period of at least five months prior to such assignment, order, mortgage, or lien.

Under any such assignment, or order for the payment of future salary, wages, commissions or other compensation for

services, given as security for a loan made under this Act, a sum equal to ten (10) per centum of the borrower's salary, wages, commissions or other compensation for services, shall be collectible therefrom by the licensee at the time of each payment of salary, wages, commissions or other compensation for services, from the time that a copy of such assignment, verified by the oath of the licensee, or his agent, together with a verified statement of the amount unpaid upon such loan, is served upon the employer.

§ 17. No person, co-partnership or corporation, except as authorized by this Act, shall directly, or indirectly, charge, contract for, or receive any interest, or consideration greater than six (6) per centum per annum upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit, of the amount, or value of three hundred ($300) dollars or less.

The foregoing prohibition shall apply to any person who, as security for any such loan, use or forbearance of money, goods or things in action, or for any such loan, use or sale of credit, makes a pretended purchase of property from any person and permits the owner or pledgor to retain the possession thereof, or who, by any device or pretense of charging for his services, or otherwise, seeks to obtain a greater compensation than is authorized by this Act.

No loan for which a greater rate of interest or charge than is allowed by this Act has been contracted for or received, wherever made, shall be enforced in this State, and any person in any wise participating therein in this State shall be subject to the provisions of this Act.

§ 18. Any person, co-partnership, or corporation, and the several officers and employees thereof, who shall wilfully or knowingly violate any of the provisions of Sections 1, 8, 12, 13, or 17, of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred ($500) dollars, or by imprisonment of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

§ 19. The expenses incurred in making, not to exceed two (2) examinations in each calendar year of each licensee.

shall be paid by the licensee examined. Said expenses shall not exceed ten ($10) dollars per day for each day the examination is conducted, together with the reasonable traveling and living expenses actually paid by the examiner making such examination which shall not exceed the regular fare over the most direct route, and meals and lodging actually paid for by the examiner, not exceeding five ($5.00) dollars per day. Such expenses shall be payable by the licensee to the licensing official upon receipt of a statement of account thereof verified by the licensing official, or in his behalf. If any licensee shall fail to pay the expenses of examination for a period of thirty (30) days following receipt of such verified account, the licensing official may proceed to enforce payment of same upon the bond filed by the licensee hereunder.

§ 20. The licensing official may and is hereby authorized to employ sufficient clerical force in addition to that now provided by law to put this Act into effect, and may also employ some other person or persons in addition to those now provided by law in his department to make the examinations provided for herein.

Provided, however, that the total expense incurred by the licensing official on account of such additional clerical force and on account of such additional persons to make the examinations herein provided, shall not exceed the total fees received by him hereunder.

All moneys collected by the licensing official hereunder shall be paid as collected into the State Treasury.

§ 21. This Act shall not apply to any person, co-partnership, or corporation doing business under any law of this State, or of the United States, relating to banks, trust companies, building and loan associations, or licensed pawnbrokers.

§ 22. So much of Section 4224, Carroll's Kentucky Statutes (1915) as applies to loan companies is hereby repealed. Section 4758-a, Carroll's Kentucky Statutes (1915), is hereby repealed and all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Mr. Hudson offered the following amendment, viz:

Amend House Bill No. 26 by striking out the word "more" in line 6, page 8, section 18, and substituting therefor the word "less" and by striking out the word "five" in line six, page 8, section 18, and substituting therefor the word "one" and by striking out the figures "$500" in said line 6, and substituting therefor the figures "$100:" Also further amend same bill by striking out the word "more" in line 7 on said page 8, section 18, and substituting therefor the word "less," and by striking out the words and figures "six (6) months," in line 7 of page 8, section 18, and substituting therefor the words "thirty days."

Said amendment was agreed to.

Mr. Nelson offered the following amendment, viz:

Amend House Bill No. 26 by adding to Section 18, "Any person or persons giving any information leading up to or bringing about a conviction herein shall be entitled to 50 per cent of the fine."

Said amendment was first rejected, then reconsidered, and adopted.

Mr. Nelson offered the following amendment, viz:

Amend by striking out 3 1-2 per cent wherever it occurs and insert in lieu thereof 2 per cent.

Said amendment was agreed to.

Mr. Nelson offered the following amendment, viz:

Amend House Bill No. 26 by striking out $300 in line 3, section 1 and inserting $50. Amend Section 12, line 6, by striking out $300 and inserting $50. Amend Section 13, line 3, by striking out $300 and inserting $50 and by striking out

$300 and inserting $50 in line 20 of said section. Amend Section 17, line 6, by striking out $300 and inserting $50.

Said amendment was adopted.

Dr. Ryans offered the following amendment by way of substitute, viz:

Amend Section 13, so as to read as follows: "Every person, co-partnership and corporation licensed hereunder may loan any sum of money in excess of fifty ($50.00) dollars, and not exceeding in amount the sum of Three Hundred ($300.00) Dollars to individuals pressed by lack of funds to meet immediate necessities and may charge, contract for and receive thereon interest at the rate not to exceed three and one-half (3 1-2) per centum per month. Interest shall not be payable in advance, or compounded, and shall be computed on unpaid balances. In addition to the interest herein provided for, no further or other charge, or amount whatsoever, for any examination, service, brokerage, commission, or other thing or otherwise, shall be directly or indirectly charged, contracted for, or received, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer, for filing, or recording, or releasing in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter. If interest, or charges in excess of those permitted by this Act shall be charged, contracted for, or received, the contract of loan shall be void, and the licensee shall have no right to collect, or receive any principal, interest, or charges whatsoever. No person shall owe any licensee, as such, at any time more than Three Hundred ($300.00) Dollars. Provided, however, that every person, co-partnership, and corporation licensed hereunder, may lend in addition to the foregoing provisions of this Act, amounts in the sum of Fifty ($50.00) Dollars or under, and charge thereon interest at the rate of five (5) per cent per month.

Said amendment was lost.

Mr. Lawrence offered the following amendment, viz:

Amend House Bill No. 26 by striking out each and every section and word of said bill and substituting in lieu thereof the following:

"It shall be unlawful for any party, company or association or corporation to collect a sum exceeding 3 per cent per month for any loan and any party, company, association, or corporation so offending shall be confined in the County Jail not less than six months nor more than one year.

§ 2. All Acts or parts of acts in conflict herewith are hereby repealed."

Said amendment was lost.

Mr. McLellen offered the following amendment, viz:

Amend House Bill No. 26, as printed, on page 3, Section 6, line 1, by striking therefrom the word "reasonable." On page 6, line 14, by striking out the word "borrowers," and inserting in lieu thereof, the word "borrower." On page 9, section 22, line 3, by inserting after the figures "(1915)," and before the word "is," the following words: "In so far as it may be inconsistent herewith."

Said amendment was adopted.

Ordered that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional Provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

H. H. Barnes	Griffin Kelly	John B. Thomas
Rodney G. Bryson	Dr. S. D. Laughlin	Dr. D. J. Travis
Charles M. Ciarlo	A. J. McCandless	C. B. Truesdell
J. B. Denues	H. C. McClellan	John L. Trumbo
A. L. Hamilton	Chas. A. Nelson	Gladstone Wesley
A. R. Hudson	T. C. Pryse	V. M. Williamson
Robt. Humphreys	Lee Rogers	W. N. Winn
R. O. Huntsman	John T. E. Stites	—23

Those who voted in the negative were:

Lon Adams	Frank Kennard	Dr. B. F. Shields
W. T. Beckham	W. L. Kimbrough	S. G. Smith
S. M. Bennett	J. M. Knott	H. A. Spillman
Roy J. Cain	Hebron Lawrence	R. Lee Stewart
W. T. Carner	Joseph Lazarus	Wm. A. Stewart
J. F. Carr	I. S. Mason	J. Mack Thompson
B. L. Cox	R. L. McFarron	J. H. Thompson
P. A. Day	Harry J. Meyers	J. Wood Vance
H. C. Duffy	Mack J. Morgan	Fred C. VanHoose
J. M. Foster	Estill W. Neel	Daniel Vose
J. W. Geveden	S. C. Ray	Geo. C. Waggoner
Dr. W. L. Gossett	B. F. Reynolds	A. M. Wash
A. F. Hanberry	J. L. Richardson	J. S. Webb
Dr. W. L. Haynes	Sherman Robbins	Dr. T. R. Welch
D. J. Howard	B. A. Roth	W. G. Wheeler
J. W. Johnson	Dr. Lewis Ryans	Dr. W. S. Yazell
Henry Kaufman	W. P. Scott	—50

So said bill was rejected.

Mr. Richardson moved that the vote by which said bill was rejected be reconsidered and that that motion lie on the table.

Said motion was agreed to.

An indefinite leave of absence was granted to the following on account of sickness: Messrs. Pryse, R. L. Stewart, Alfrey, Caudel, and Gamblin.

By unanimous consent the following bill was introduced, ordered to be printed, and referred to the Committee on Rules:

By Mr. Vose:

House Bill No. 543. An Act amending sub-section 1 of section 3643, Kentucky Statutes, Carroll's 1915 Edition, by eliminating from said section the words "The cost of constructing or re-constructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city."

Mr. Ryans moved that when the House adjourn today it adjourn to reconvene Monday, March 8th, at 1 o'clock P. M.

Said motion was agreed to.

Dr. Haynes moved that the House do recess until 1:30 o'clock P. M. today.

Said motion was agreed to.

Then the House at 12:50 o'clock P. M. took a recess.

FRIDAY, MARCH 5, 1920.

AFTERNOON SESSION.

The House reconvened at 1:30 P. M.

Mr. McLellen, of the Committee on Rules, called up for consideration Senate Bill No. 256.

The House took up for consideration from the Orders of the Day, a bill entitled:

Senate Bill No. 256. An Act creating the position of member ex-officio of the Board of Trustees of the University of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the position of member ex-officio of the Board of Trustees of the University of Kentucky is hereby created.

§ 2. That the president emeritus of said University shall, so long as he may live, or so long as he may desire, hold said position and upon his death or resignation the position shall be automatically abolished.

§ 3. That said member shall perform all duties now required of other members of the Board of Trustees of the University of Kentucky and shall in all respects have the same power and authority now vested in other members of said board.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	A. R. Hudson	S. C. Ray
L. H. Ballard	Robt. Humphreys	Chas. R. Scott
H. H. Barnes	Henry Kaufman	W. P. Scott
W. M. Boling	Griffin Kelly	Dr. B. F. Shields
Rodney G. Bryson	J. M. Knott	S. G. Smith
W. T. Carner	Dr. S. D. Laughlin	H. A. Spillman
J. F. Carr	Hebron Lawrence	John W. Swope
B. L. Cox	Joseph Lazarus	John B. Thomas
J. S. Cruse	Rev. J. A. Lee	Dr. D. J. Travis
P. A. Day	I. S. Mason	John L. Trumbo
J. B. Denues	A. J. McCandless	A. M. Wash
Dr. W. L. Gossett	R. L. McFarron	Dr. T. R. Welch
A. F. Hanberry	Harry J. Meyers	Gladstone Wesley
Dr. W. L. Haynes	Mack J. Morgan	W. N. Winn

—42

Those who voted in the negative were:

Roy J. Cain	Chas. A. Nelson	J. Mack Thompson
J. W. Geveden	T. P. Oliver	C. B. Truesdell
Talbert Holliday	T. C. Pryse	J. S. Webb
J. W. Johnson	John T. E. Stites	
John T. Murphy	T. R. Stultz	

—13

Resolved, That the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate, announcing that it had passed House Bill No. 181, with sundry amendments.

Ordered, that said bill and amendments be referred to the Committee on Rules.

Also that it had passed Senate Bill No. 274, entitled: An Act to permit banks authorized to do business in Kentucky to act as fiduciaries.

Senate Bill No. 200, entitled: An Act to amend Section 63 of the Kentucky Statutes, Carroll's Edition, 1915, and Acts amendatory thereto, relating to the State Board of Health, by repealing, amending, and re-enacting Sections 2047 and 2053 of said Statutes, and by adding sections creating other bureaus within said board, and by further defining the duties of said board.

Senate Bill No. 19, entitled: An Act to amend and re-enact Section 2834 Carroll's Kentucky Statutes, Edition of 1915, being Section 71 of the Act entitled "an Act for the government of cities of the first class," approved July 1, 1893.

Senate Bill No. 117, entitled: An Act to provide for special police judges in the trial of cases and violation of ordinances in cities of the fourth class when the regular police judge cannot act.

Senate Bill No. 153, entitled: An Act to repeal and re-enact Chapter CLXVIII of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled "An Act making unlawful to buy, bargain, sell, loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation, or to harbor a person in the possession or in the operation of an illicit or 'moonshine' still and providing a penalty for any violation of this Act, and further fixing the burden of proof, and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this Act, out of the county levy of the county in which the indictment may be returned."

Senate Bill No. 333, entitled: An Act to amend and re-enact Section 3105 of the Kentucky Statutes, 1915 Edition, relating to public improvements in cities of the second class.

Senate Bill No. 311, entitled: An Act to enable any city of the first class to provide for constructing, erecting, and equipping buildings, and grounds of the College of Arts and Sciences of its Municipal University.

Ordered, that said bills be printed and referred to the Committee on Rules.

The Committee on Rules introduced the following bill:

House Bill No. 544, entitled: An Act providing that the cost of the original construction or improvement of parkways, roadways, and driveways, constituting portions of the systems of public parks of cities of the first class, may be assessed and become a lien against lands abutting on or adjacent to such parkways, roadways or driveways.

Ordered, that said bill be printed and referred to the Committee on Rules.

A message was received from the Senate, announcing that it had passed the following bills:

House Bill No. 159, entitled: An Act to repeal and re-enact Section 2711, Sub-sections a-5 and a-54, Chapter LXXXVI, Carroll's 1915 Edition Kentucky Statutes, volume 3, being Sub-sections 5 and 54 of Chapter XLIII of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled "An Act to provide for the organization, armament, equipment, discipline and government of the militia."

House Bill No. 1, entitled: An Act to amend and re-enact Section 1780, Kentucky Statutes, Carroll's Edition, 1915, relating to farm fences.

Ordered, that said bills be enrolled.

Under the authority of House Resolution No. 24, entitled, Joint Resolution providing for commission to make survey of the fiscal affairs of counties of this State, the Speaker appointed the following committee:

Mr. E. C. Hardin, Mr. A. M. Wash, Mr. Charles M. Ciarlo.

The Speaker appointed as a reception committee and committee on arrangements for the occasion of the Memorial Meeting and public addresses of Governor Cox and Senator Harding, of Ohio, the following:

Mr. J. S. Cruse, Mr. Gladstone Wesley, Mr. John T. Murphy.

Mr. Hudson offered the following resolution:

House Resolution, 40. Whereas, the county officers and people in all the counties of the State are anxious for and demanding maps of the primary base-line road system provided for by this General Assembly, and,

Whereas, it is necessary that such information as will educate the people on this road system be given, and,

Whereas, the present road department is not authorized to expend money for this purpose, and will not be so authorized until the re-organization of the department as provided by this General Assembly,

Therefore, be it resolved by the House of Representatives, the Senate concurring, that there be and is hereby appropriated the sum of five hundred dollars, to be expended by the road commissioner in the making of maps to be distributed to each member of the General Assembly, all county judges, road engineers, all State officers and employees of the road department, and such others as the Road Commissioner may deem proper.

Mr. Hudson moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

The yeas and nays being taken upon the passage of said resolution were as follows:

Those who voted in the affirmative were:

H. H. Barnes	J. M. Knott	E. E. Shannon
S. M. Bennett	Dr. S. D. Laughlin	S. G. Smith
Rodney G. Bryson	Hebron Lawrence	H. A. Spillman
Roy J. Cain	Joseph Lazarus	John T. E. Stites
W. T. Carner	Rev. J. A. Lee	T. R. Stultz
J. F. Carr	I. S. Mason	John W. Swope
B. L. Cox	A. J. McCandless	John B. Thomas
J. S. Cruse	R. L. McFarron	J. Mack Thompson
P. A. Day	H. C. McClellan	Dr. D. J. Travis
H. N. Dean	Harry J. Meyers	C. B. Truesdell
J. B. Denues	John T. Murphy	John L. Trumbo
J. W. Geveden	Estill W. Neel	Fred C. Vanhoose
Dr. W. L. Gossett	Chas. A. Nelson	Daniel Vose
A. F. Hanberry	T. P. Oliver	A. M. Wash
Dr. W. L. Haynes	T. C. Pryse	Dr. T. R. Welch
Talbert Holliday	S. C. Ray	Gladstone Wesley
A. R. Hudson	B. F. Reynolds	W. G. Wheeler
Robt. Humphreys	J. L. Richardson	V. M. Williamson
J. W. Johnson	Lee Rogers	W. N. Winn
Henry Kaufman	B. A. Roth	Dr. W. S. Yazell
Griffin Kelly	Chas. R. Scott	—64
W. L. Kimbrough	W. P. Scott	

Those who voted in the negative were:

Lon Adams	W. M. Boling	—2

So the resolution was adopted.

Mr. Hudson moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said resolution be sent to the Senate.

Mr. McLellen, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 203. An Act to amend and re-enact Section 1061-a of the Kentucky Statutes, the same being an Act of the General Assembly of the Commonwealth of Kentucky, approved on the eighteenth day of March, 1914, entitled: "An Act to provide a stenographer for the county judge of counties in the Commonwealth containing a population of two hundred thousand or over," this amendment providing for a stenographer for the county judge of other counties.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1061-a of the Kentucky Statutes, being an Act of the General Assembly of the Commonwealth of Kentucky, approved the eighteenth day of March, 1914, entitled: "An Act to provide a stenographer for the county judge of counties in the Commonwealth containing a population of two hundred thousand or over," be and it is hereby amended by adding and inserting at the end thereof the following as sub-section 5 thereof, the following words:

§ 5. In counties in this Commonwealth having a population of less than two hundred thousand the county judge may appoint or employ a stenographer to do stenographic, typewriting and clerical work under the direction of the county judge and in the business of the county. Said stenographer shall perform such other duties as may be assigned to him by the county judge or the fiscal court and his term of service and compensation shall be fixed by the county judge, subject to the approval of the fiscal court, payable out

of the county levy, but in no case to exceed nine hundred ($900.00) dollars per annum.

So that said Section 1061-a of the Kentucky Statutes as amended and re-enacted shall read as follows:

§ 1. That in all counties in this Commonwealth having a population of two hundred thousand or over, there is hereby created the office of stenographer to the county judge; said stenographer shall be appointed by the county judge for a term of four years, but may be removed at any time by said county judge.

§ 2. It shall be the duty of said stenographer to do stenographic work and typewriting for said county judge, and said stenographer shall perform such other duties as may be assigned to him by said county judge.

§ 3. Said stenographer shall by virtue of his office have the same power of administering an oath as a notary public.

§ 4. The salary of said stenographer shall be fixed by the county judge, not to exceed $900.00 per annum, payable out of the county levy in equal monthly installments.

§ 5. In counties in this Commonwealth having a population of less than two hundred thousand the county judge may appoint or employ a stenographer to do stenographic, typewriting and clerical work under the direction of the county judge and in the business of the county. Said stenographer shall perform such other duties as may be assigned to him by the county judge or the fiscal court and his term of service and compensation shall be fixed by the county judge, subject to the approval of the fiscal court, payable out of the county levy, but in no case to exceed $900.00 per annum.

Ordered, that said bill be read the third time.

Mr. McLellen moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

H. H. Barnes	Henry Kaufman	H. A. Spillman
W. T. Beckham	Griffin Kelly	John T. E. Stites
W. M. Boling	J. M. Knott	T. R. Stultz
Rodney G. Bryson	Dr. S. D. Laughlin	John B. Thomas
Roy J. Cain	Rev. J. A. Lee	J. Mack Thompson
W. T. Carner	I. S. Mason	C. B. Truesdell
Charles M. Ciarlo	H. C. McClellan	John L. Trumbo
B. L. Cox	John T. Murphy	J. Wood Vance
J. S. Cruse	Estill W. Neel	Daniel Vose
P. A. Day	T. P. Oliver	A. M. Wash
H. N. Dean	T. C. Pryse	J. S. Webb
J. B. Denues	S. C. Ray	Gladstone Wesley
A. L. Hamilton	B. F. Reynolds	W. G. Wheeler
Dr. W. L. Haynes	J. L. Richardson	V. M. Williamson
D. J. Howard	Chas. R. Scott	W. N. Winn
A. R. Hudson	W. P. Scott	Dr. W. S. Yazell
Robt. Humphreys	E. E. Shannon	—52
J. W. Johnson	S. G. Smith	

Those who voted in the negative were:

Lon Adams	A. F. Hanberry	Chas. A. Nelson
L. H. Ballard	Talbert Holliday	Lee Rogers
S. M. Bennett	Frank Kennard	Wm. A. Stewart
J. F. Carr	W. L. Kimbrough	John W. Swope
J. M. Foster	Hebron Lawrence	Dr. D. J. Travis
J. W. Geveden	A. J. McCandless	Fred C. VanHoose
Dr. W. L. Gossett	Mack J. Morgan	Dr. T. R. Welch
		—21

Resolved, That the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McLellen, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 300. An Act to amend and re-enact Section 128, Chapter XLIII, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, "An Act entitled 'An Act to provide for the organization, armament, equipment, discipline and government of the militia.'"

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 128, Chapter XLIII, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, an act entitled "An Act to provide for the organization, armament, equipment, discipline and government of the militia," be and the same is hereby amended and re-enacted to read as follows:

Where units of the National Guard, whether infantry, cavalry, artillery or machine gun units, have been or may hereafter be organized in any county in this State, the Adjutant General, subject to the approval of the Governor, shall lease suitable halls and grounds for assembly, drill and other exercises, and suitable rooms annexed thereto for the meeting of the command or commands for administrative work and safekeeping of public property, and shall also lease where a troop or more of cavalry is organized a suitable building for the stabling and caring for the horses of the command, and the storage of food for same, and suitable building or buildings for the housing and protection of the property of any artillery or machine gun unit which may be organized,

and which shall be at all times accessible to the local commanding officer of the organization and those who may be authorized by him. The rent of said property so leased, including necessary heating, light, water and telephone service, shall be paid by the State out of funds appropriated by the General Assembly for this purpose, when properly certified by the Adjutant General to the Auditor of Public Accounts.

Ordered, that said bill be read the third time.

Mr. McLellen moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

H. H. Barnes	Frank Kennard	Wm. A. Stewart
W. T. Beckham	W. L. Kimbrough	John T. E. Stites
W. M. Boling	J. M. Knott	T. R. Stultz
Roy J. Cain	Dr. S. D. Laughlin	John W. Swope
W. T. Carner	Hebron Lawrence	J. Mack Thompson
T. F. Carr	Joseph Lazarus	Dr. D. J. Travis
B. L. Cox	Rev. J. A. Lee	John L. Trumbo
J. S. Cruse	I. S. Mason	J. Wood Vance
P. A. Day	R. L. McFarron	Daniel Vose
H. N. Dean	John T. Murphy	Geo. C. Waggoner
J. B. Denues	Estill W. Neel	A. M. Wash
J. M. Foster	Chas. A. Nelson	J. S. Webb
J. W. Geveden	S. C. Ray	Dr. T. R. Welch

A. L. Hamilton	B. F. Reynolds	Gladstone Wesley
Dr. W. L. Haynes	J. L. Richardson	W. G. Wheeler
Talbert Holliday	Lee Rogers	V. M. Williamson
A. R. Hudson	B. A. Roth	W. N. Winn
Robt. Humphreys	W. P. Scott	Dr. W. S. Yazell
J. W. Johnson	E. E. Shannon	—58
Henry Kaufman	S. G. Smith	

Those who voted in the negative were:

A. J. McCandless —1

Resolved, That the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McLellen, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 412. An Act to establish an Athletic Board of Control and prescribing the duties and power of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this State, providing for the payment of a tax and license, and prohibiting any betting or gaming at any such contest, and providing of penalty for violation of this act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established a State Athletic Board of Control. Within thirty days after this act takes effect the Governor shall appoint three persons to be members of such board, who shall hold office for the terms of four

years following the date of their appointment. The Governor shall also appoint their successors each successive fourth year. The board shall maintain a general office for the transaction of its business. The members of the board shall, at their meeting after this appointment, elect one of their number chairman of the board, shall adopt a seal for the board and may make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may hereafter amend or abrogate such rules. Two of the members of the board shall constitute a quorum to do business; and the concurrence of at least two members of the board shall be necessary to render a choice or decision by the board.

§ 2. The board shall appoint, and at pleasure remove, a secretary to the board, whose duty it shall be to keep a full and true record of its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him, by the board, and to perform such other duties as the board may prescribe; and he may, under direction of the board, issue subpoenas for the attendance of witnesses before the board with the same effect as if they were issued in an action in a circuit court of this Commonwealth, and may, under direction of the board, administer oaths in all matters pertaining to the duties of his office or connection with the administration of the affairs of the board. Disobedience of such a subpoena and false swearing before such secretary shall be attended by the same consequence and subject to the same penalties as if such disobedience or false swearing occurred in an action in court. The necessary traveling and other necessary expenses of the members of the board, which, including the salary of the secretary, shall not exceed the sum of five thousand ($5,000) dollars per year, shall be paid monthly out of the funds of the board. The board shall bi-annually make, to the legislature, a full report of its proceedings for the year, ending with the first day of the preceding December, and may submit, with such report, such recommendations pertaining to its affairs as it shall deem desirable.

§ 3. The board shall have, and hereby is vested with the sole direction, management and control of and jurisdic-

tion over, all boxing and sparring matches and exhibitions to be conducted, held or given within the state by any person, club, corporation or association; and no boxing or sparring match or exhibition shall be conducted, held or given within the state except pursuant to its authority and in accordance with the provisions of this act. The board may, in its discretion, issue, and at its pleasure revoke, a license to conduct, hold or give boxing or sparring matches, or exhibitions, to any person, club, corporation or association. Every license shall be subject to such rules and regulations and amendments thereof as the board may prescribe. Every application for a license, as herein provided for, shall be in writing and shall be addressed to the board and shall be verified by some officer of the club, corporation or association on whose behalf the application may be made. It shall contain a recital of such facts as, under the provisions hereof, will show the applicant entitled to receive a license, anl in addition thereto, such facts and recitals as the board may by rule require to be shown.

§ 4. All buildings or structures used, or intended to be used, for the purpose of this act, shall be properly ventilated and provided with fire exits and fire escapes, if there need be, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city, town or village where situated. Where a part of a building or structure is used for the purpose set forth in this act, this section shall apply in the same manner.

§ 5. No boxing or sparring match or exhibition shall be of more than twelve rounds in length; and the contestants shall wear, during such contest, gloves weighing at least six ounces. The contestants in such boxing or sparring match or exhibition shall be examined by a reputable physician appointed by the board, who is licensed as such physician, and shall be in excellent physical condition before participating in such boxing or sparring contest or exhibition.

§ 6. No decision shall be rendered in any contest given under this act.

§ 7. No contest under this act shall be held on Sunday.

§ 8. Any contestant who shall participate in any sham or fake boxing or sparring match or exhibition shall be penalized in the following manner: For the first offense, he shall be restrained for a period of one year, such period to begin immediately after the occurrence of such offense, from participating in any boxing competition to be held or given by any person, club, corporation or association duly authorized to give or hold any such boxing or sparring match or exhibition; for the second offense, he shall be totally disqualified from further admission or participation in any boxing contest held or given by any person, club, corporation or association duly licensed for such purpose.

§ 9. Every person, club, corporation or association which may hold or exercise any of the privileges conferred by this act, shall, within twenty-four hours after the determination of every contest, furnish to the board a written report, duly verified by one of their officers, showing the number of tickets sold for such contest and the amount of the gross receipts thereof, and such other matters as the board may prescribe, and shall also within the same time pay to the board a tax of five per centum of its gross receipts, from the sale of all tickets to such boxing or sparring match or exhibition, which tax, after the payment therefrom of the expenses of the board and the salary of the secretary of the board, as herein provided, shall be turned over to the State Treasurer and credited to the state school fund. Before any license shall be granted to any person, club, corporation or association to conduct, hold or give any boxing or sparring match or exhibition, such applicant therefor shall execute and file with the board a bond in the sum of five thousand ($5,000) dollars, to be approved as to form, and the sufficiency of the sureties thereon, by the board, conditioned for the payment of the tax hereby imposed. Upon the filing and approval of such bond, the board shall issue such applicant for such license a certificate of such filing and approval, which shall by such applicant be filed in the office of the board with its application for such license; and no license shall be issued until such certificate shall be so filed.

§ 10. Whenever any such person, club, corporation or association shall fail to make a report of any contest at the

time prescribed by this act, or whenever such report is unsatisfactory to the board, they may examine or cause to be examined the books and records of such person, club, corporation or association, and subpoena and examine, under oath, its officers and other persons as witnesses for the purpose of determining the total amount of its gross receipts for any contest and the amount if the tax due, pursuant to the provisions of this act, which tax they may, upon, and as the result of such examination, fix and determine. In case of the default in the payment of any tax so ascertained to be due, together with the expenses incurred in making such examination, for a period of twenty days after notice to such delinquent person, club, corporation or association of the amount at which the same may be fixed by the board, such delinquent shall, ipso facto, forfeit its license and shall thereby be disqualified from receiving any new license or any renewal of license; and it shall, in addition, forfeit to the people of the Commonwealth of Kentucky the sum of five hundred ($500) dollars, which may be recovered by the Attorney General in the name of the people of the Commonwealth of Kentucky in the same manner as other penalties are by law recovered.

§ 11. Any person who violates any provisions of this act, for which a penalty is not herein expressly prescribed, shall be guilty of a misdemeanor and subject to a fine of not less than ten dollars nor more than one hundred dollars.

§ 12. The provisions of Sections 1284, 1285, 1286, 1287, 1288, 1289 and 1290 of the Kentucky Statutes, Carroll's Edition, 1915, shall not apply to any boxing or sparring match or exhibition conducted, held or given by any person, club, corporation or association duly licensed pursuant to the provisions of this act.

§ 13. The license fee shall be five hundred dollars annually and shall be payable to the board and shall be used by said board in liquidating the expenses of the board, together with any other funds as may come into the hands of the board under the provisions of this act, and after the necessary expenses have been paid, which are not to exceed five thousand ($5,000) dollars per annum; the funds remaining shall be turned over to the State Treasurer and credited to the school fund.

§ 14. The board shall make an accounting to the State Treasurer on or before the first of January of each year.

§ 15. Any person or persons conducting a boxing or sparring contest under this act must be a bona fide resident of Kentucky for at least three years before such contest takes place.

§ 16. It shall be unlawful for any person to make bets or indulge in gaming of any kind on the premises where any such contest is held, and any person so betting or gaming shall be punished as now provided by law for such offenses.

Mr. Waggoner offered the following amendment:

Provided that no admission charges shall be made to any exhibition held under the provisions of this bill.

Said amendment was disagreed to.

Mr. Holliday offered the following amendment:

Amend House Bill 412, Section 5, by striking therefrom the word "twelve" in line 2, and inserting in lieu thereof the words "twenty-four."

Said amendment was disagreed to.

Mr. Welch moved the previous question.

The Speaker stated: "Shall the main question now be ordered?"

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

Mr. McLellen moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	S. G. Smith
H. H. Barnes	W. L. Kimbrough	H. A. Spillman
W. M. Boling	Joseph Lazarus	John T. E. Stites
Jo F. Bosworth	I S. Mason	T. R. Stultz
Rodney G. Bryson	R. L. McFarron	J. H. Thompson
Charles M. Ciarlo	H. C. McClellan	C. B. Truesdell
H. N. Dean	Harry J. Meyers	John L. Trumbo
H. C. Duffy	Mack J. Morgan	A. M. Wash
J. M. Foster	John T. Murphy	J. S. Webb
A. L. Hamilton	Estill W. Neel	Dr. T. R. Welch
Dr. W. L. Haynes	T. P. Oliver	V. M. Williamson
Talbert Holliday	T. C. Pryse	Dr. W. S. Yazell
Robt. Humphreys	J. L. Richardson	—40
J. W. Johnson	B. A. Roth	

Those who voted in the negative were:

W. T. Beckham	Frank Kennard	Wm. A. Stewart
S. M. Bennett	Dr. S. D. Laughlin	John W. Swope
Roy J. Cain	Hebron Lawrence	John B. Thomas
W. T. Carner	Rev. J. A. Lee	J. Mack Thompson
J. F. Carr	A. J. McCandless	Dr. D. J. Travis
B. L. Cox	Chas. A. Nelson	Fred C. Vanhoose
P. A. Day	S. C. Ray	Daniel Vose
J. W. Geveden	B. F. Reynolds	Geo. C. Waggoner
Dr. W. L. Gossett	W. P. Scott	W. N. Winn
A. F. Hanberry	E. E. Shannon	—31
D. J. Howard	Dr. B. F. Shields	

Resolved, That the title thereof be as aforesaid.

Mr. McLellen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McLellen, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 231. An Act to amend Section 4642 of Carroll's Kentucky Statutes, relating to fees of official court reporters.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4642 of Carroll's Kentucky Statutes, be and the same is hereby amended and when so amended will read as follows: The fees of official reporters appointed under the provisions of this Act, when serving in criminal cases in any of said courts, shall be fixed by the presiding judge thereof, not, however, to exceed ten dollars per day for taking stenographic notes, and twenty cents per hundred words for the transcript thereof, and five cents per hundred words for the carbon copy thereof, which fees shall be paid upon the order of the presiding judge of said court by the county in which said circuit court is situated, if same is ordered by the court for the use of the Commonwealth's Attorney. If the transcript of the notes of said reporter in any criminal case is ordered by the presiding judge upon the motion of the defendant, or his counsel, the defendant shall be required to pay for the same, if, in the opinion of the court, he is able to do so. If it shall appear that the defendant is not able to pay for such transcript, the court may direct the same to be paid for as heretofore provided, and the same may be recovered at any future time from the defendant; provided, that the amount

paid by the county in such cases shall not exceed twelve hundred dollars per annum; provided, however, that in counties having a population of one hundred and fifty thousand or more, the reporter of the criminal branch of the circuit court shall receive a salary to be fixed by the presiding judge of said branch of said court, not exceeding, however, the sum of twenty-five hundred dollars per annum, and shall receive no other compensation from the county for such services; and provided, further, that no part of the fees or salary of said reporter shall be paid by the Commonwealth. The fees of said reporter, when serving in civil cases in any of said courts or divisions, shall be fixed by the presiding judge thereof, not, however, to exceed ten dollars per day for taking stenographic notes, and twenty cents per hundred words for the original transcript thereof and five cents per hundred words for the carbon copy thereof, which shall be paid forthwith by the party or parties in whose behalf such report or transcript is ordered, and shall be taxed as part of the cost of the suit or proceeding; provided, however, that said reporter shall not be required to file any of said transcripts without payment thereof by the party or parties in whose behalf the same is ordered; provided, however, further, that the presiding judge of said court or division may direct said reporter to file a transcript upon the motion of either party suing in forma pauperis.

Whereas, to provide reasonable compensation for the aforesaid reporters in order to maintain the efficiency of the courts of this state, an emergency is hereby declared to exist and this Act shall take effect on and after its approval by the Governor.

Mr. Mason offered the following amendment:

"Provided, however, that in counties having a population of more than one hundred and fifty thousand, the reporter of the criminal branch of the circuit court shall receive a salary to be fixed by the presiding judge of said branch of the court, not, however, exceeding the sum of two thousand dollars per annum, payable in monthly installments out of the county levy. The fees of said reporter, when serving in civil

cases in any of said courts or divisions, shall be fixed by the presiding judge thereof, not, however, to exceed ten dollars per day for taking stenographic notes when taken in open court during trials of cases, and twenty cents per hundred words for the original transcript thereof and five cents per hundred words for the carbon copy thereof, which shall be paid forthwith by the party or parties in whose behalf such report or transcript is ordered, and shall be taxed as part of the cost of the suit or proceeding; provided, however, that said reporter shall not be required to file any of said transcripts without payment thereof by the party or parties in whose behalf the same is ordered; provided, however, further, that the presiding judge of said court or division may direct said reporter to file a transcript upon the motion of either party suing in forma pauperis. In addition to such fees said reporter in civil cases in any of said courts or divisions shall receive a salary of fifty dollars per month, payable monthly, out of the county levy."

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. McLellen moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

H. H. Barnes	J. W. Johnson	W. P. Scott
Rodney G. Bryson	Frank Kennard	S. G. Smith
Charles M. Ciarlo	Dr. S. D. Laughlin	H. A. Spillman
B. L. Cox	I. S. Mason	John T. E. Stites
P. A. Day	R. L. McFarron	T. R. Stultz
J. B. Denues	Harry J. Meyers	J. H. Thompson
H. C. Duffy	John T. Murphy	Daniel Vose
Dr. W. L. Haynes	Estill W. Neel	Geo. C. Waggoner
D. J. Howard	T. P. Oliver	J. S. Webb
Robt. Humphreys	S. C. Ray	Dr. T. R. Welch
R. O. Huntsman	B. F. Reynolds	Gladstone Wesley

—33

Those who voted in the negative were:

Lon Adams	Dr. W. L. Gossett	Chas. A. Nelson
S. M. Bennett	A. F. Hanberry	T. C. Pryse
W. M. Boling	Henry Kaufman	Wm. A. Stewart
Roy J. Cain	W. L. Kimbrough	J. Mack Thompson
J. F. Carr	Hebron Lawrence	Dr. D. J. Travis
H. N. Dean	Joseph Lazarus	Fred C. VanHoose
J. M. Foster	A. J. McCandless	A. M. Wash
J. W. Geveden	Mack J. Morgan	W. N. Winn

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So said bill was rejected.

Mr. Lazarus moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills and joint resolution were reported to the Senate:

House Bills Nos. 200 and 203.

House Resolution No. 40.

Mr. Lazarus, of the Committee on Rules, moved that the following bills be read the first time and placed in the calendar:

House Bill No. 514, entitled: An Act to amend and reenact Sub-section 2 of Section 1569-a of Kentucky Statutes, Carroll's Edition, 1915, relating to county election commissioners.

House Bill No. 524, entitled: An Act to annul the charter of the town of Aberdeen, Butler County, Kentucky.

House Bill No. 518, entitled: An Act to amend and reenact Section 3105 of the Kentucky Statutes, 1915 Edition, relating to public improvements in cities of the second class.

House Bill No. 454, entitled: An Act relating to unlawful carnal knowledge of an idiot, lunatic, imbecile, feeble-minded person or person of any other unsoundness of mind, and prescribing and fixing penalties for violation thereof.

House Bill No. 530, entitled: An Act to provide for the construction and maintenance, in cities of the first class, of memorials in honor of the soldiers and sailors furnished by such cities and the counties wherein situated, to the United States army and navy during the recent world war; providing for the voting of a bond issue in such cities, and for the acceptance of gifts and donations, for such purposes; and for related purposes, including the creation of a Memorial Commission in such cities.

House Bill No. 533, entitled: An Act relating to revenue and taxation; fixing the annual tax rate on unmanufactured agricultural products, subject to taxation, other than unmanufactured agricultural products actually on hand at the plants of manufacturing concerns for the purpose of manufacture; fixing the date of assessment; prescribing by whom

the tax shall be paid; exempting unmanufactured agricultural products from local and ad valorem taxation; providing for the distribution of the fund derived from such taxation; providing for the assessment, equalization and collection of the tax.

Said motion was agreed to.

The said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Lazarus moved that at the completion of the reading of the calendar the House shall adjourn.

Said motion was agreed to.

Mr. Lazarus moved that the calendar be now read and that the bills therein be read the second time by their titles only.

Said motion was agreed to.

Then the House took up for consideration from the calendar the following bills:

House Bill No. 13, entitled: An Act to repeal and re-enact Sections 3382 and 3383 of Carroll's 1915 Kentucky Statutes, relating to the time of appointment and meeting of the Board of Tax Supervisors in cities of the third class.

House Bill No. 148, entitled: An Act to repeal Chapter LXXXV-a, Section 2651-a of Carroll's Statutes, entitled, "Merchandise—To Regulate Sale of in Bulk," and to enact a law in lieu thereof to regulate the sales in bulk of stocks of merchandise or fixtures or stocks and fixtures and to prescribe penalties for the violation thereof.

House Bill No. 477, entitled: An Act to amend and reenact Section 518, Civil Code of practice, relating to the modification of judgment after term by court rendering it.

House Bill No. 528, entitled: An Act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

House Bill No. 519, entitled: An Act to repeal and re-enact Section 1309, Kentucky Statutes, Carroll's Edition, 1915, prescribing penalties for carrying upon or about the person a concealed deadly weapon.

House Bill No. 425, entitled: An Act to amend Section 1 of Chapter CXXI, Acts of 1918, entitled, an Act to amend an Act, entitled an Act to amend an Act, entitled an Act to repeal and re-enact an Act entitled an Act granting pensions to indigent and disabled Confederate soldiers, and which is Section 415-b-6, Chapter XXII-b Carroll's Kentucky Statutes, 1915, Vol. 3.

Senate Bill No. 149, entitled: An Act relating to public health; to provide State aid for the acquisition, construction, equipment and maintenance of tuberculosis district sanatoria in this Commonwealth and in making improvements, betterments and additions thereto.

Said bills were severally read the second time by their titles and ordered to be placed in the Orders of the Day.

The following bills and resolutions, passed by the House, were sent to the Senate:

House Bills Nos. 142, 471, 296, 492, 274, 465, and 380.

Senate Bill No. 256.

Senate Resolutions Nos. 19, 20, 21, 22, and 23.

Then the House, at 4:20 P. M., adjourned until Monday, March 8, 1920, at 1:00 P. M.

MONDAY MARCH 8, 1920.

The House was called to order at 1:00 P. M.

The House was opened with prayer.

The roll-call to ascertain the presence of a quorum resulted as follows, viz.:

Lon Adams
L. H. Ballard
H. H. Barnes
W. M. Boling
Jo F. Bosworth
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
Charles M. Ciarlo
A. S. Cooper
B. L. Cox
J. S. Cruse
P. A. Day
H. N. Dean
J. M. Foster
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. F. Hanberry
Dr. W. L. Haynes
Talbert Holliday
D. J. Howard
A. R. Hudson
Adam W. Huff
Robt. Humphreys
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Frank Kennard
W. L. Kimbrough
Dr. S. D. Laughlin
Hebron Lawrence
Elmer Lusby
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McClellan
Harry J. Meyers
Claude D. Minor
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
T. C. Pryse
S. C. Ray
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
W. P. Scott
E. E. Shannon
H. G. Skiles
H. A. Spillman
R. Lee Stewart
Wm. A. Stewart
Frank L. Strange
T. R. Stultz
John W. Swope
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
Geo. C. Waggoner
J. S. Webb
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
V. M. Williamson
W. N. Winn
Dr. W. S. Yazell

Present 77

On motion of Mr. Roth, the reading of the Journal of Friday, March 5, 1920, was dispensed with and the Journal approved.

A message was received from the Senate announcing that it had passed House Resolution No. 27, entitled: Providing for a Children's Code Commission.

Ordered, that said resolution be enrolled.

House Resolution No. 37, entitled: Joint Resolution for the benefit of the Ministers of the Gospel of Frankfort.

Ordered that said resolution be enrolled.

House Resolution No. 39, entitled: Resolution commending citizens of Frankfort for kindness and courtesies extended to members of 1920 Session of General Assembly.

Ordered, that said resolution be enrolled.

Also that it had concurred in:

House Resolution No. 40, entitled: Providing for maps of the base-line system of roads, and appropriating funds therefor.

Ordered, that said resolution be enrolled.

Also that it had passed Senate Resolution No. 24, entitled: Providing for maps of the base-line system of roads, and appropriating funds therefor.

Ordered that said resolution be referred to the Committee on Rules.

Also that it had passed Senate Bill No. 75, entitled: An Act repealing Section No. 1159 of Carroll's Kentucky Statutes, 1915 Edition, relating to punishments for robbery and

burglary, and the having in possession of tools and implements used by burglars, and re-enacting the same with certain modifications thereof.

Senate Bill No. 176, entitled: An Act repealing Section 4385-a, and Chapter CXXIII of the Acts of 1916, and re-enacting in lieu thereof an entire new chapter, relating to employees of the Superintendent of Public Instruction.

Senate Bill No. 58, entitled: An Act providing for the oiling of the streets of towns of the sixth class in this Commonwealth.

Ordered that said bills be printed and referred to the Committee on Rules.

Also that the Senate had passed House Bill No. 350, entitled: An Act providing for the establishment and maintenance, in counties having therein a city of the first class, of an institution for the care of neglected, dependent, delinquent, and other children; and providing for the creation and maintenance of a board to establish and maintain such institution, and defining the powers and duties of said board; and permitting, in such counties, a consolidation, under such board, of municipal and county institutions engaged in such work; and providing for the conveyance to, and the acceptance by, such board, of property for the use of such board in carrying out the purposes of this Act; and authorizing the levy and collection of taxes to raise funds for the purpose of this Act; and repealing the Act approved March 15, 1912, entitled, "An Act creating a Parental Home and School Commission in counties containing a city of the first class, defining the powers and duties thereof, and empowering fiscal courts to levy a tax to create funds for the purposes of this Act;" and repealing the Act approved March 9, 1854, creating the Board of Managers of the Louisville Home of Refuge and all Acts amendatory thereof and supplemental thereto, relating to the Louisville House of Refuge and to the Louisville Industrial School of Reform, including the Act approved March 3,

1860, the Act approved January 27, 1866, the Act approved January 31, 1867, the Act approved February 27, 1867, the Act approved March 29, 1873, and the Act approved May 13, 1886, and for other related purposes.

Ordered that said bill be enrolled.

Also that the Senate had passed House Bill No. 80 with the following amendments:

Amendment No. 1. Amend House Bill 80 by striking out of printed bill in line 34, Section 6, the figures "1890" and inserting in lieu thereof the figures "1912."

Mr. Vose moved that the House do concur in said amendment.

Said motion was agreed to.

Amendment No. 2. Amend House Bill 80 by striking out the figures "$12" in lines 36 and 131 and insert in lieu thereof the figures "$15."

Mr. Vose moved that the House do concur in this amendment.

Said motion was agreed to.

Then the yeas and nays were taken upon the final passage of the bill as amended and resulted as follows:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	E. E. Shannon
L. H. Ballard	Henry Kaufman	H. G. Skiles
H. H. Barnes	Frank Kennard	H. A. Spillman
Rodney G. Bryson	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
J. F. Carr	Joseph Lazarus	Frank L. Strange

A. S. Cooper	Elmer Lusby	John W. Swope
B. L. Cox	Harry J. Meyers	J. Mack Thompson
P. A. Day	Claude D. Minor	J. H. Thompson
H. N. Dean	Mack J. Morgan	C. B. Truesdell
H. C. Duffy	John T. Murphy	J. Wood Vance
J. M. Foster	Estill W. Neel	Fred C. VanHoose
J. W. Geveden	Chas. A. Nelson	Daniel Vose
Dr. W. L. Gossett	T. P. Oliver	Geo. C. Waggoner
A. L. Hamilton	S. C. Ray	Dr. T. R. Welch
A. F. Hanberry	B. F. Reynolds	Gladstone Wesley
Dr. W. L. Haynes	J. L. Richardson	W. G. Wheeler
D. J. Howard	Sherman Robbins	W. N. Winn
A. R. Hudson	Lee Rogers	Dr. W. S. Yazell
Adam W. Huff	B. A. Roth	—61
Robt. Humphreys	W. P. Scott	

Those who voted in the negative were:

R. O. Huntsman	A. J. McCandless	—2

So the bill as amended was passed.

Resolved, That the title thereof be as aforesaid.

Mr. Murphy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Also that the Senate had passed Senate Bill No. 182, entitled: An Act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications, assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

Ordered, that said bill be printed and referred to the Committee on Rules.

The following bills were sent to the Senate:

House Bills Nos. 412 and 467.

A message was sent to the Senate advising that body that the House had concurred in the amendments proposed in the Senate to House Bill No. 196.

Indefinite leave of absence was granted to Messrs. Alfrey and Gamblin.

Mr. Vose, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 445. An Act requiring hotel and innkeepers to keep posted in a conspicuous place in each room under their charge, a printed statement showing the price to be charged the guest occupying said room per day and prescribing the penalties for the violation thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all hotel keepers and innkeepers of this Commonwealth shall be required to keep posted in a conspicuous place in each room of said hotel or inn a printed statement showing the price to be charged the guest thereof, per day for his occupancy of said room, and said price so fixed shall not be changed or modified within any period of 30 days.

§ 2. Any person, firm or corporation who shall violate the provisions of section one of this act shall be fined not less than ten ($10.00) dollars nor more than fifty ($50.00) dollars for each offense.

Ordered, that said bill be read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	H. G. Skiles
L. H. Ballard	Frank Kennard	R. Lee Stewart
H. H. Barnes	W. L. Kimbrough	Wm. A. Stewart
W. M. Boling	Dr. S. D. Laughlin	Frank L. Strange
Roy J. Cain	Hebron Lawrence	T. R. Stultz
W. T. Carner	Elmer Lusby	John W. Swope
J. F. Carr	I. S. Mason	J. Mack Thompson
Charles M. Ciarlo	A. J. McCandless	J. H. Thompson
A. S. Cooper	R. L. McFarron	Dr. D. J. Travis
B. L. Cox	Claude D. Minor	C. B. Truesdell
J. S. Cruse	Mack J. Morgan	John L. Trumbo
P. A. Day	John T. Murphy	J. Wood Vance
J. M. Foster	Chas. A. Nelson	Fred C. VanHoose
J. W. Geveden	T. C. Pryse	Daniel Vose
Dr. W. L. Gossett	S. C. Ray	J. S. Webb
A. F. Hanberry	B. F. Reynolds	Gladstone Wesley
Dr. W. L. Haynes	J. L. Richardson	W. G. Wheeler
D. J. Howard	Sherman Robbins	R. E. Wilborn
A. R. Hudson	Lee Rogers	V. M. Williamson
Robt. Humphreys	W. P. Scott	W. N. Winn
J. W. Johnson	E. E. Shannon	Dr. W. S. Yazell

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Resolved, That the title thereof be as aforesaid.

Mr. Vose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 534. An Act relating to roads and bridges in the Commonwealth of Kentucky, and designating centers of construction.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The following cities and towns in the state are hereby declared centers of construction in the primary system of state highways, as laid out and designated in an act which was enacted at the present 1920 session of the General Assembly, to-wit:

Ashland, Bardstown, Beattyville, Bowling Green, Fulton, Covington, Clinton, Cynthiana, Lancaster, Frankfort, Glasgow, Harlan, Hazard, Guthrie, Hopkinsville, Lexington, London, Louisville, Madisonville, Maysville, Morehead, Owensboro, Paris, Pikeville, Pineville, Paducah, Leitchfield, Richmond, Russellville, Somerset, Vanceburg, West Liberty, Williamstown, Marion, Henderson, Eddyville, Campbellsburg, Middlesboro and Winchester.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Frank Kennard	H. G. Skiles
L. H. Ballard	W. L. Kimbrough	H. A. Spillman
H. H. Barnes	Dr. S. D. Laughlin	R. Lee Stewart
W. M. Boling	Hebron Lawrence	Frank L. Strange
Roy J. Cain	Joseph Lazarus	T. R. Stultz
W. T. Carner	Elmer Lusby	John W. Swope
J. F. Carr	I. S. Mason	J. Mack Thompson
Charles M. Ciarlo	A. J. McCandless	J. H. Thompson
A. S. Cooper	R. L. McFarron	Dr. D. J. Travis
B. L. Cox	Harry J. Meyers	C. B. Truesdell
P. A. Day	Claude D. Minor	John L. Trumbo
H. N. Dean	John T. Murphy	J. Wood Vance
J. W. Geveden	Estill W. Neel	Fred C. Vanhoose
Dr. W. L. Gossett	Chas. A. Nelson	Daniel Vose
A. F. Hanberry	T. C. Pryse	J. S. Webb
Dr. W. L. Haynes	S. C. Ray	Gladstone Wesley
Talbert Holliday	B. F. Reynolds	W. G. Wheeler
A. R. Hudson	J. L. Richardson	V. M. Williamson
Adam W. Huff	Lee Rogers	W. N. Winn
Robt. Humphreys	B. A. Roth	Dr. W. S. Yazell
R. O. Huntsman	W. P. Scott	—64
J. W. Johnson	E. E. Shannon	

Resolved, That the title thereof be as aforesaid.

Mr. Vose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 426. An Act to amend and re-enact Section 189 of the Code of Practice in Criminal Cases, relating to continuances.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 189 of the Code of Practice in criminal cases be and the same is hereby amended and re-enacted, so that same when amended and re-enacted shall read as follows:

"Section 189. (Civil Code Regulates Postponement With Exceptions—Affidavit). The provisions of the Code of Practice in civil actions, in regard to postponement of the trial of actions, shall apply to the postponement of prosecutions, on application of the defendant, except that, when the ground of application for a continuance is the absence of a material witness, and the defendant makes affidavit as to the facts which such witness would prove, the continuance shall be granted, unless the attorney for the Commonwealth admits upon the trial that the facts are true.

1. That whenever, in any criminal or penal action pending in any of the courts of this Commonwealth, an application shall be made by the defendant for a continuance, based upon affidavits stating the absence of one or more material witnesses, and the facts which such absent witness or witnesses would, if present, prove, the attorney for the Commonwealth shall not be compelled, in order to prevent a continuance, to admit the truth of the matter which it is alleged in the affidavit such absent witness or witnesses would prove, but only that such absent witness or witnesses, would, if present, testify as alleged in the affidavit. In which event the defendant may, on the trial, read such affidavit as the deposi-

tion of such absent witness or witnesses, subject, however, to exception for irrelevancy or incompetency; and the attorney for the Commonwealth shall be permitted to controvert the statement of such affidavit so read by other evidence, and to impeach such absent witness or witnesses to the same extent as if he were personally present; provided, however, the court may, when, from the nature of the case, it shall be of opinion that the ends of justice require it, grant a continuance, unless the attorney for the Commonwealth will admit the truth of the matter which it is alleged in the affidavit such absent witness or witnesses would testify to.

Ordered, that said bill be read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Jo F. Bosworth	Claude D. Minor	T. R. Stultz
Roy J. Cain	Mack J. Morgan	Dr. D. J. Travis
J. F. Carr	Estill W. Neel	C. B. Truesdell
J. S. Cruse	Chas. A. Nelson	John L. Trumbo
H. N. Dean	T. C. Pryse	J. Wood Vance
A. F. Hanberry	S. C. Ray	Fred C. VanHoose
A. R. Hudson	J. L. Richardson	Daniel Vose
R. O. Huntsman	Sherman Robbins	J. S. Webb
Henry Kaufman	Lee Rogers	Dr. T. R. Welch

W. L. Kimbrough	B. A. Roth	Gladstone Wesley
Joseph Lazarus	W. P. Scott	W. G. Wheeler
I. S. Mason	E. E. Shannon	R. E. Wilborn
R. L. McFarron	H. G. Skiles	V. M. Williamson
H. C. McClellan	Wm. A. Stewart	Dr. W. S. Yazell

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Those who voted in the negative were:

Lon Adams	Dr. W. L. Gossett	A. J. McCandless
L. H. Ballard	A. L. Hamilton	Harry J. Meyers
H. H. Barnes	Dr. W. L. Haynes	John T. Murphy
W. M. Boling	Talbert Holliday	B. F. Reynolds
Rodney G. Bryson	D. J. Howard	H. A. Spillman
W. T. Carner	Adam W. Huff	Frank L. Strange
Charles M. Ciarlo	Robt. Humphreys	John W. Swope
A. S. Cooper	J. W. Johnson	J. Mack Thompson
B. L. Cox	Frank Kennard	J. H. Thompson
H. C. Duffy	Dr. S. D. Laughlin	W. N. Winn
J. M. Foster	Hebron Lawrence	
J. W. Geveden	Elmer Lusby	

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Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up House Bill No. 111.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 111. An Act entitled, An Act to create a commission for the purpose of making a survey of the educational systems of Kentucky, supported wholly or in part from public funds; prescribing the duties and powers of said com-

mission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Governor be and is hereby authorized and empowered to appoint a commission of five persons, to make a survey of the public educational system of the state, including all schools and educational institutions supported in whole or in part by public taxation, for the sake of determining the efficiency of their work, and to report its findings, with recommendations for improvement, to the Governor.

§ 2. It shall be the duty of said commission to employ experts, not residents of Kentucky, to make a thorough survey of the school system of the state as to organization, co-ordination, administration and general efficiency, and to conduct such survey in accordance with approved scientific standards of educational research.

§ 3. That the members of said commission shall serve without pay, except actual expenses incurred in the discharge of their duties. Said Commission is hereby authorized and empowered to purchase such supplies and employ such clerical help in addition to the expert service hereinbefore provided, as may be necessary for the proper discharge of its duty within the limitation herein prescribed.

§ 4. That the commission and its employees shall be accorded free access to all public records. All persons having charge of any schools or educational institutions supported wholly or in part by public funds shall furnish all the information available and render all the assistance possible in making the survey complete; and any person who wilfully withholds records or information within his possession or obstructs the work of the commission in any way, shall be fined in any sum not less than $100 or more than $500 in any court of competent jurisdiction.

§ 5. That there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of $10.-000.00 or as much thereof as may be necessary, for the purpose of defraying the expense of the survey hereby proposed.

§ 6. That on account of the pressing need for an early re-organization of the school system of the state, an emergency is hereby declared to exist and this law shall take effect from and after its passage and approval by the Governor.

On motion of Mr. Vose, consideration of this bill was postponed till the author of this bill, Mr. Wash, who is absent, returns to his seat in the House.

Mr. Vose, of the Committee on Rules, called up for consideration House Bill No. 325.

The House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 325. An Act to repeal, amend and re-enact Subsection 5 of Section 1403, Carroll's Edition, 1915 Kentucky Statutes, relating to descent and distribution of personal property.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Subsection 5, of Section 1403, Kentucky Statutes, Carroll's 1915 Edition, be, and the same is hereby repealed, amended and re-enacted, so that same so repealed, amended and re-enacted, shall read as follows:

"Personal property or money on hand or in bank to the amount of $750 shall be exempt from distribution and sale and shall be set apart by the appraisers of the estate of an intestate to his widow and children, or, if no widow, to his infant children or child surviving him. And a like amount of property or cash shall be exempt from distribution and sale and

shall be set apart by them to the surviving infant children or child of a widow who dies intestate.

The appraisers shall state in their appraisement the money or the articles and value of each, set apart by them to the widow, or infants, separately to the articles appraised for sale, but if the widow be present at the time of the appraisement, or any one authorized by her in writing, she may make her selection out of the property appraised to the amount of the said $750; and said appraisers shall so report. The provisions of this section shall apply to cases where the husband dies testate and the widow renounces the provisions of the will in the time prescribed by law.

Ordered, that said bill be read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	W. P. Scott
H. H. Barnes	Frank Kennard	H. G. Skiles
W. M. Boling	W. L. Kimbrough	H. A. Spillman
Rodney G. Bryson	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Joseph Lazarus	Frank L. Strange
J. F. Carr	Elmer Lusby	T. R. Stultz

Charles M. Ciarlo	A. J. McCandless	John W. Swope
A. S. Cooper	R. L. McFarron	J. Mack Thompson
B. L. Cox	H. C. McClellan	Dr. D. J. Travis
H. N. Dean	Harry J. Meyers	John L. Trumbo
H. C. Duffy	Claude D. Minor	J. Wood Vance
J. M. Foster	Mack J. Morgan	Fred C. VanHoose
J. W. Geveden	John T. Murphy	Daniel Vose
Dr. W. L. Gossett	Estill W. Neel	Geo. C. Waggoner
A. F. Hanberry	Chas. A. Nelson	J. S. Webb
Dr. W. L. Haynes	T. C. Pryse	Dr. T. R. Welch
Talbert Holliday	S. C. Ray	Gladstone Wesley
D. J. Howard	B. F. Reynolds	W. G. Wheeler
A. R. Hudson	J. L. Richardson	R. E. Wilborn
Adam W. Huff	Sherman Robbins	V. M. Williamson
Robt. Humphreys	Lee Rogers	W. N. Winn
R. O. Huntsman	B. A. Roth	Dr. W. S. Yazell
J. W. Johnson	Dr. Lewis Ryans	—71

Mr. Lawrence offered the following amendment to the title:

Amend House Bill No. 325 by striking out the word "amend" after the word "repeal" in the title, and the word "amended" after the word "repealed" in line 2, and the word "amended" in line 3 after the word "repealed."

Said amendment was agreed to.

Resolved, that the title of said bill be as amended.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

House Bill No. 24. That Section 1772 of the Kentucky Statutes, Carroll's Edition, 1915, be and the same is hereby amended and re-enacted to read as follows:

Section 1772. Jailer in counties with seventy-five thousand population—salary of—number and salary of deputies.

In counties having a population of seventy-five thousand or over, the jailer shall, after the term of the present incumbent has expired, receive an annual salary of five thousand dollars; and the number of his deputies, guards and turnkeys, and the salaries allowed to each, shall be fixed by the judge of the county court, the mayor of the city where the jail is located, and the judge of the criminal division of the circuit court; but the annual salary of the chief deputy shall not exceed eighteen hundred dollars per annum, nor shall the annual salary of each of the other deputies, guards or turnkeys exceed fifteen hundred dollars per annum. The order fixing the salaries and number of deputies, guards and turnkeys shall be signed by a majority of said persons and spread upon the order book of the county court, and a certified copy thereof, as well as of any subsequent changes made therein, shall be filed when made with the auditor of public accounts.

Whereas, it is necessary for the proper conduct of said jails, that the salaries of said deputies be increased as soon as possible, an emergency is hereby declared to exist, and this act shall take effect immediately after its passage and approval by the Governor.

Mr. Minor offered the following amendment:

Amend House Bill 24 by inserting after the words "said persons" and before "and" in line 15, the following: "authorized by this Act to fix said salaries."

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

H. H. Barnes	Hebron Lawrence	H. A. Spillman
Rodney G. Bryson	Joseph Lazarus	T. R. Stultz
Roy J. Cain	Elmer Lusby	John W. Swope
J. F. Carr	R. L. McFarron	J. Mack Thompson
Charles M. Ciarlo	H. C. McClellan	J. H. Thompson
A. S. Cooper	Harry J. Meyers	Dr. D. J. Travis
J. S. Cruse	Claude D. Minor	C. B. Truesdell
H. N. Dean	John T. Murphy	John L. Trumbo
J. M. Foster	T. P. Oliver	J. Wood Vance
A. L. Hamilton	T. C. Pryse	Daniel Vose
A. F. Hanberry	S. C. Ray	Geo. C. Waggoner
Dr. W. L. Haynes	J. L. Richardson	J. S. Webb
Talbert Holliday	Sherman Robbins	Dr. T. R. Welch
A. R. Hudson	B. A. Roth	W. G. Wheeler
Robt. Humphreys	Dr. Lewis Ryans	R. E. Wilborn
J. W. Johnson	W. P. Scott	V. M. Williamson
Henry Kaufman	E. E. Shannon	W. N. Winn
Dr. S. D. Laughlin	H. G. Skiles	Dr. W. S. Yazell

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Those who voted in the negative were:

Lon Adams	Dr. W. L. Gossett	B. F. Reynolds
W. T. Carner	Frank Kennard	Lee Rogers
B. L. Cox	W. L. Kimbrough	R. Lee Stewart
H. C. Duffy	A. J. McCandless	Wm. A. Stewart
J. W. Geveden	Chas. A. Nelson	—14

Resolved, That the title thereof be as aforesaid.

Mr. Vose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 447. An Act to enable any city of the first class to provide for constructing, erecting, and equipping buildings, and grounds of the college of arts and sciences of its municipal university.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any city of the first class in the State of Kentucky having a municipal university is hereby empowered to provide for the constructing, erecting, and equipping of buildings and grounds for the college of arts and sciences of such municipal university.

§ 2. In order to provide money for such construction, erection and equipment, the general council may adopt an ordinance submitting to the voters of the city at any regular election held in the city, the question whether bonds of the city shall be issued for the purpose of carrying out the work herein provided for. The ordinance shall provide the date

and maturity of such bonds, the rate of interest they shall bear and the total amount to be then issued, and the ordinance shall also contain the necessary details with reference to the execution and delivery of said bonds, their denominations, coupons to be annexed, taxes to be levied to pay the interest and a sinking fund to retire such bonds at maturity. The total amount of bonds to be issued under this act shall not exceed one million ($1,000,000.00) dollars.

§ 3. If the voters of the city shall determine that said bonds shall be issued, they shall when so issued, be placed under the control of the president and trustees of such university, who shall determine when and at what price they shall be sold. Provided that no bonds shall be sold for less than par and provided further that any premium which may be obtained from said bonds shall constitute a part of the sinking fund for their ultimate redemption. If the said bonds are sold their proceeds shall go to the credit of such university in the same depositories as are selected for the deposit of the funds of the sinking fund commissioners of the city and upon the same agreement as to interest, and shall be withdrawn upon the checks of the treasurer of the university, countersigned by the president thereof.

§ 4. The president and treasurer of the university shall each give bond with approved surety in such sum as may be fixed by the general council, which bond shall be payable to the university and oblige the makers thereof to perform faithfully the duties of their respective offices and faithfully account for and pay over all money or other thing of value which may come into their respective hands. Such bonds shall be kept in force during the time any of the money herein provided for is being handled or administered by the university or its officers.

§ 5. The money derived from said bonds shall be used by the president and trustees of the university for the purpose of constructing, erecting, and equipping the buildings and grounds for the college of arts and sciences of the university.

§ 6. In doing the work provided for under this act the president and trustees of the university shall have power to

employ such person or persons as they may deem necessary, including architects and other technical advisers.

§ 7. The work herein provided for may be done by contract or contracts, or otherwise, in the discretion of said president and trustees. When any contract shall involve the expenditure of two thousand ($2,000.00) dollars or more it shall be awarded to the lowest and best bidder. All bids or parts of bids for any such work or for any supplies may be rejected by said president and trustees. The president and trustees may do any part or parts of this work by day labor, when deemed advisable.

§ 8. The president and trustees of the university shall annually report to the mayor and the general council of the city, what they do under this act and account for all funds received by them.

§ 9. A municipal university, within the meaning of this act, is a university established or supported in whole or in part by funds raised by municipal taxation and controlled by a board of trustees appointed by the mayor and general council of such municipal corporation and consisting of departments united under one organization or management, affording instruction in the arts, sciences and professions, and conferring degrees.

Ordered, that said bill be read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	W. P. Scott
H. H. Barnes	W. L. Kimbrough	H. G. Skiles
W. M. Boling	Dr. S. D. Laughlin	H. A. Spillman
Roy J. Cain	Hebron Lawrence	R. Lee Stewart
W. T. Carner	Joseph Lazarus	Wm. A. Stewart
J. F. Carr	Elmer Lusby	T. R. Stultz
Charles M. Ciarlo	A. J. McCandless	John W. Swope
A. S. Cooper	R. L. McFarron	J. Mack Thompson
B. L. Cox	H. C. McClellan	Dr. D. J. Travis
J. S. Cruse	Harry J. Meyers	C. B. Truesdell
H. N. Dean	Claude D. Minor	John L. Trumbo
J. M. Foster	John T. Murphy	J. Wood Vance
J. W. Geveden	Chas. A. Nelson	Fred C. VanHoose
A. F. Hanberry	T. C. Pryse	Daniel Vose
Talbert Holliday	B. F. Reynolds	Geo. C. Waggoner
D. J. Howard	J. L. Richardson	Gladstone Wesley
A. R. Hudson	Sherman Robbins	R. E. Wilborn
Robt. Humphreys	Lee Rogers	W. N. Winn
J. W. Johnson	B. A. Roth	Dr. W. S. Yazell

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Those who voted in the negative were:

Dr. W. L. Gossett —1

Resolved, That the title thereof be as aforesaid.

Mr. Vose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 143. An Act to suppress mob violence and prevent lynching; providing for punishment of persons

violating the provisions of the act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Mob Defined—Punishment of Members.—Any number of persons more than three, assembled for the purpose of doing violence, injury to, or lynching any person in the custody of any peace officer or jailer in this Commonwealth, shall be regarded as a mob. Any person who takes part in and with any such mob, with the result that the person in custody meets death at the hands of any such mob shall be deemed guilty of lynching, or if the result be that the person does not meet death, any person who takes part in or with the mob shall be guilty of attempted lynching.

The penalty for lynching shall be death or life imprisonment.

The penalty for attempted lynching shall be confinement in the penitentiary for not less than two years nor more than twenty-one years.

§ 2. Accessories.—Any person not standing in the relationship of husband or wife, parent or grandparent, child or grandchild, brother or sister, by consanguinity or affinity, who, after the crime of lynching or attempted lynching, shall harbor or conceal, or aid any member of the mob who participated in the offense with the intent that such member of such mob shall escape arrest or punishment, shall be deemed accessory after the fact, and may be indicted, tried and convicted and punished, and on conviction shall be punished by imprisonment in the penitentiary for not less than two years nor more than twenty-one years.

§ 3. Officers.—If any person, being a prisoner, or lawfully in custody, shall be taken from the hands of any sheriff, deputy sheriff, constable or any other peace officer, or from the hands or custody of any jailer, and shall be lynched, killed, maimed or injured, it shall be prima facie evidence of failure

of the officer to perform his duty, and shall be prima facie evidence of neglect of duty on the part of such officer, and when such failure in, or neglect of duty, or such lynching or injury, is made to appear to the Governor, he shall at once publish a proclamation declaring the office or offices of the officer or officers vacant, at the same time mailing copy of the proclamation to such officer or officers, whereupon the office shall be immediately vacated.

§ 4. When a vacancy in any office arises for the causes above set out, the county judge shall at once select a person to fill the office for the remainder of the term or temporarily as the occasion may demand as provided for by article 7, section 1526, Kentucky Statutes. Until such appointment shall be made, the coroner shall fill the office of sheriff, and the county clerk shall take charge of the jail. In the event any officer is removed as herein provided and afterwards is reinstated, the original fidelity bond executed by said officer shall continue in full force and effect.

§ 5. Any officer named above, after having vacated his office, may, within ten days thereafter, file with the Governor his petition for reinstatement, of which filing he shall give written notice to the county attorney of his county, and the Commonwealth's attorney of the district of which his county is a part, and the Governor shall give notice to the Attorney General.

The Governor shall hear the evidence, which may be oral or by deposition, and arguments, if any presented, and if at such hearing the Governor be of the opinion that the officer had done all in his power to protect the life and person of such prisoner and that the officer had not neglected to perform his legal duty, then the Governor shall order the immediate reinstatement of such removed officer, and such order of the Governor shall be final, and should he fail to reinstate, his previous order removing shall also be final.

§ 6. Any officer removed, and not reinstated shall, for a period of four years thereafter be disqualified from holding any office in this Commonwealth.

Mr. Minor offered the following amendment:

Amend Senate Bill 143 by adding at the end of Section 5 the following: "Provided, however, any person who shall be permanently removed from the office to which he was elected, shall not be denied the right of appeal to any court of competent jurisdiction."

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Dr. S. D. Laughlin	R. Lee Stewart
H. H. Barnes	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Joseph Lazarus	J. Mack Thompson
J. F. Carr	I. S. Mason	J. H. Thompson
A. S. Cooper	A. J. McCandless	C. B. Truesdell
B. L. Cox	H. C. McClellan	John L. Trumbo
J. S. Cruse	Harry J. Meyers	J. Wood Vance
H. N. Dean	Claude D. Minor	Fred C. VanHoose
A. F. Hanberry	John T. Murphy	Daniel Vose
Talbert Holliday	Chas. A. Nelson	Geo. C. Waggoner
D. J. Howard	T. C. Pryse	J. S. Webb

A. R. Hudson	S. C. Ray	Dr. T. R. Welch
Adam W. Huff	J. L. Richardson	Gladstone Wesley
R. O. Huntsman	Sherman Robbins	R. E. Wilborn
Henry Kaufman	B. A. Roth	Dr. W. S. Yazell
Frank Kennard	W. P. Scott	—49
W. L. Kimbrough	E. E. Shannon	

Those who voted in the negative were:

W. M. Boling	Dr. W. L. Gossett	Elmer Lusby
Roy J. Cain	Robt. Humphreys	H. G. Skiles
F. A. Day	J. W. Johnson	W. N. Winn
		—9

Resolved, That the title thereof be as aforesaid.

Mr. Vose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up for consideration House Bill No. 523.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 523. An Act to amend an Act entitled "An Act to provide for the nominations of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof" which Act became a law March 5, 1912, as the same was amended by Act of the Legislature approved March 23, 1914, so as to provide for the nominations of judges of the Court of Appeals and Circuit Courts of the State of Kentucky.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 6 of Section 1 of the said Act (now known as Section 1550 of the Kentucky Statutes) being an "Act to provide for the nominations of candidates by political parties at primary elections and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof" which Act became a law March 5, 1912, as the same was amended by Act of the Legislature approved March 23, 1914 be and the same is amended by adding thereto the following:

Provided that the provisions of Section 6 of this Act (Kentucky Statutes Section 1550) shall not apply to candidates for Judges of the Court of Appeals and for Judges of the Circuit Court.

For such judicial positions any eligible person may become or be proposed as a candidate for nomination and by any and every political party having a ticket to be voted for in the district for which the said office is to be filled, but said persons shall not be required to seek the said nomination or nominations nor to make a declaration of party loyalty or support, and as a requirement for such nomination shall not be required to have registered as affiliated with any political party or parties or to have registered at all as a voter.

Such nomination or nominations may be proposed by or for such eligible candidate either by resolution of the proper committee or a political party or by the qualified voters of any political party whose nomination is sought where the bona fide signatures of such petition equal in number ten per cent of the vote cast at the last preceding election for the leading candidate of said political party in the district for which said candidate desired to be or is proposed as a party nominee.

The name of the successful candidates in the primary for nomination or nominations for such judicial offices shall appear on the ballot at the regular election under the device of as many political parties as may have nominated such candidate. He may appear thereon by petition of voters, or otherwise as may be required by law, and at such election shall be entitled

to the total of the votes which he receives on such ballot or ballots as aforesaid.

Before any successful candidates for such judicial nomination or nominations shall be given his certificate or certificates of nomination, he shall file with the Clerk of the County Court, in which he resides, a statement that during the campaign for the said nomination or nominations he did not, and while a candidate for the said office will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this state, and if elected will qualify for said office and that the said sections be re-enacted as amended, and when so amended and re-enacted shall read as follows:

§ 1550. (6) Notification and declaration—Affidavits, how prepared and filed. Any qualified elector who is a member of a party within the meaning of this Act, and who has affiliated with and supported the nominees of the party at whose hands he seeks the nomination as defined elsewhere in this Act, shall have his name printed on the official ballot of his party for any office to which he is eligible in any primary held under the provisions of this Act, upon filing with the proper officer at the proper time, a notification and declaration, which notification and declaration shall be in the following form, and shall be filled in as to all the requirements therein contained, and the declaration therein shall be subscribed and sworn to by the person making same, before any officer qualified to administer an oath.

Said notification and declaration shall be in the following form:

Notification and Declaration of .....
for nomination to the offiice of.....
To .....(County Court Clerk or Secretary of State, as the case may be). Commonwealth of Kentucky, ... County. For the purpose of having my name placed on the official primary election ballot as a candidate for nomination by the .....(name of party) party, I ..... (name in full as desired on the ballot) do solemnly swear (or affirm) that I reside at No. ..... Street, in the city of .....,

county of ....., State of Kentucky, and that I am a registered ..... (party) voter in ....precinct, city of ....., that I believe in the principles of said ..... (name of party) party, and intend to support its principles and policies, and vote for its nominees at the coming general election, and that I have affiliated with such party and that I supported its nominees at the last general election, or was prevented from doing so by reason of ..... (state reason here); that if nominated as a candidate of said ..... party at the said ensuing election, I will accept such nomination and not withdraw; that I will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this State, and if finally elected, I will qualify for said office.

..... (Signature of candidate). Subscribed and sworn to before me by ..... this ..... day of ....., 19..... (Signature of officer). .....(Title of officer).

The said candidate shall at the time of filing his notification and declaration file therewith an affidavit of two reputable electors, members of the same party to which the applicant belongs, which affidavit shall be in the following form, and filled out so as to meet all the requirements indicated therein:

Commonwealth of Kentucky, ...County.

We, ... and .....do solemnly swear (or affirm) that we are qualified electors and members of the ..... (name of party) party and have affiliated with said party, and supported its nominees at the last general election; that we are residents and legal voters of the city of ..... County of .....State of Kentucky; that we are personally acquainted with ....., who files the hereto attached notification and declaration, and we know him to be a discreet citizen, and a member of the .....party, and that to the best of our knowledge and belief, he has affiliated with and supported said party as defined in the primary election law; that he is a resident of the city, county and State

set out in his notification and declaration, and we believe him qualified to fill the office of .....

.....

.....

(Signature of affiants).

Subscribed and sworn to before me by ..... and ..... this ..... day of ..... 19.....

.....

(Signature of officer.)

.....

(Title of officer.)

Said application and declaration, and the accompanying affidavits may be on the same or separate sheets, but shall be filed together and at the same time, and when so filed with the proper officer, it shall be the duty of said officer, upon the candidate's compliance with the requirements of this Act as to payment of fees as elsewhere provided, to have printed the applicant's name on the ballot according to the primary election law, under the penalties provided therein.

Provided, that the provisions of Section 6 of this Act (Kentucky Statutes Section 1550), shall not apply to candidates for Judge of the Court of Appeals and for Judges of the Circuit Court.

For such judicial positions any eligible person may become or be proposed as a candidate for nomination by any and every political party having a ticket to be voted for in the district for which the said office is to be filled, but said persons shall not be required to seek the said nomination or nominations nor to make a declaration of party loyalty or support, and as a requirement for such nomination shall not be required to have registered as affiliated with any political party or parties, or to have registered at all as a voter.

Such nomination or nominations may be proposed by or for such eligible candidate either by resolution of the proper committee of a political party or by the qualified voters of any political party whose nomination is sought where the bona fide signatures of such petition equal in number ten per cent of the vote cast at the last preceding election for the leading candi-

date of said political party in the district for which said candidates desired to be or are proposed as a party nominee.

The name of the successful candidates in the primary for nomination or nominations for such judicial offices shall appear on the ballot at the regular election under the device of as many political parties as may have nominated such candidate. He may appear thereon by petition of voters, or otherwise as may be required by law, and at such election shall be entitled to the total of the votes which he receives on such ballot or ballots as aforesaid.

Before any successful candidate for such judicial nomination or nominations shall be given his certificate or certificates of nomination, he shall file with the Clerk of the County Court, in which he resides, a statement that during the campaign for the said nomination or nominations he did not, and while a candidate for the said office will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this state, and if elected will qualify for said office.

Mr. McLellen offered a substitute for said bill as follows:

Sub. to House Bill No. 523. An Act to amend an Act entitled "An Act to provide for the nominations of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof," which Act became a law March 5, 1912, as the same was amended by Act of the Legislature approved Mar. 23, 1914, entitled "An Act to amend an Act entitled 'An Act to provide for the nomination of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections, and prescribing penalties for the violation thereof,' which Act became a law March 5, 1912," so as to provide for the nominations of Judges of the Court of Appeals and Circuit Courts of the State of Kentucky, by more than one political party and without regard to political affiliation and to permit the name of such candidate to appear upon the ballots as the candidates of as many parties as may nominate him or them.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sub-section 6 of Section 1 of the said Act (now known as Section 155 of the Kentucky Statutes) being An Act to provide for the nomination of candidates by political parties at primary elections and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof" which Act became a law Mar. 5, 1912, as the same was amended by Act of the Legislature approved March 23, 1914, and entitled "An Act to amend an Act entitled 'An Act to provide for the nomination of candidates by political parties at primary elections and for the placing of names of candidates on the ballots to be voted for at general elections, and prescribing penalties for the violation thereof," which Act became a law March 5, 1912, be and the same is amended by adding thereto the following:

Provided that a candidate for a nomination for Judge of the Court of Appeals or of a Circuit Court shall not be required to be a member of the political party whose nomination he seeks, or to have affiliated with it or to have supported its nominee, and in his notification and declaration for nomination to such office may omit such portion of such notification and declaration as relates to his membership in the party or parties whose nomination or nominations he seeks, to his belief in its or their principles, and to his intention to support the principles or policies of such party or parties or to vote for the nominees of such party at the coming general election or that he has affiliated with such party or that he supported its nominees at the last general election or that he was for any reason prevented from doing so.

And provided further that said candidate for such nomination for Judge of the Court of Appeals or for Judge of the Circuit Court shall at the time of filing his notification and declaration file therewith an affidavit of two reputable electors, members of the party whose nomination said candidate seeks, which affidavit shall be in the form set forth with reference to other candidates for nominations except that it shall not be required to contain any statement that such candidate

is known to them to be a member of any political party or that he has affiliated with or supported any political party as defined in the primary election law.

And provided further that any person may become a candidate for the nomination for Judge of the Court of Appeals or Circuit Judge of as many political parties as he may desire and may become the nominee of one or more political parties by the vote in such primary or in any other manner provided by law, and his name shall appear upon the ballots in the election for the office itself as the candidate of each party whose nomination he may have received and as a part of the ticket of each party whose nomination he may have received as provided by law.

Said Section as amended shall read as follows:

(6) Notification and Declaration—Affidavits, How Prepared and Filed.—Any qualified elector who is a member of a party within the meaning of this act, and who has affiliated with and supported the nominees of the party at whose hands he seeks the nomination as defined elsewhere in this act, shall have his name printed on the official ballot of his party for any office to which he is eligible in any manner held under the provisions of this act, upon filing with the proper officer at the proper time, a notification and declaration, which notification and declaration shall be in the following form, and shall be filled in as to all the requirements therein contained, and the declaration therein shall be subscribed and sworn to by the person making same, before any officer qualified to administer an oath.

Said notification and declaration shall be in the following form:

NOTIFICATION AND DECLARATION.

of ..... For nomination to the office of ..... to .... (county court clerk or Secretary of State, as the case may be).

Commonwealth of Kentucky,

.....county.

For the purpose of having my name placed on the official primary election ballot as a candidate for nomination by the .....(name of party) party, I .... (name in full as desired on the ballot) do solemnly swear (or affirm) that I reside at No. .... street, in the city of ....., county of ....., state of Kentucky, and that I am a registered ..... (party) voter in ..... precinct, city of ....., that I believe in the principles of said ..... (name of party) party, and intend to support its principles and policies, and vote for its nominees at the coming general election, and that I have affiliated with such party and that I supported its nominees at the last general election, or was prevented from doing so by reason of ..... (state reason here); that if nominated as a candidate of said.....party at the said ensuing election, I will accept such nomination and not withdraw; that I will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this state, and if finally elected, I will qualify for said office,

..... (Signature of candidate).

Subscribed and sworn to before me by..... this .... day of ....., 19.....

.....(Signature of officer.)

..... (Title of officer.)

The said candidate shall, at the time of filing his notification and declaration file therewith an affidavit of two reputable electors, members of the same party to which the applicant belongs, which affidavit shall be in the following form. and filled out so as to meet all the requirements indicated therein:

Commonwealth of Kentucky,

.....county.

We, ... and ..... do solemnly swear (or affirm) that we are qualified electors and members of the ..... (name of party) party and have affiliated with said party, and supported its nominees at the last general election; that we are residents and legal voters of the city of ....., county of

....., state of Kentucky; that we are personally acquainted with ....., who files the hereto attached notification and declaration, and we know him to be a discreet citizen, and a member of the..... party, and that to the best of our knowledge and belief, he has affiliated with and supported said party as defined in the primary election law; that he is a resident of the city, county and state set out in his notification and declaration, and we believe him to be qualified to fill the office of.....

.....

.....

(Signature of affiants.)

Subscribed and sworn to before me by ..... and ..... this ..... day of ....., 19..... .

..... (Signature of officer.)

..... (Title of officer.)

Said application and declaration, and the accompanying affidavits may be on the same or separate sheets, but shall be filed together and at the same time, and when so filed with the proper officer, it shall be the duty of said officer, upon the candidate's compliance with the requirements of this act as to payment of fees as elsewhere provided, to have printed the applicant's name on the ballot according to the primary election law, under the penalties provided therein.

Provided that a candidate for a nomination for Judge of the Court of Appeals or of a Circuit Court shall not be required to be a member of the political party whose nomination he seeks, or to have affiliated with it or to have supported its nominees, and in his notification and declaration for nominations to such office he may omit such portion of such notification and declaration as relates to his membership in the party or parties whose nomination or nominations he seeks, to his belief in its or their principles and to his intention to support the principles or policies of such party or parties or to vote for the nominees of such party at the coming general election or that he has affiliated with such party or that he supported its nominees at the last general election or that he was for any reason prevented from doing so.

And provided further that said candidate for such nomination for Judge of the Court of Appeals or for Judge of the Circuit Court shall at the time of filing his notification and declaration file therewith an affidavit of two reputable electors, members of the party whose nomination said candidate seeks, which affidavit shall be in the form set forth with reference to other candidates for nominations except that it shall not be required to contain any statement that such candidate is known to them to be a member of any political party or that he has affiliated with or supported any political party as defined in the primary election law.

And provided further that any person may become a candidate for the nomination for Judge of the Court of Appeals or Circuit Judge of as many political parties as he may desire and may become the nominee of one or more political parties by the vote in such primary, or in any other manner provided by law, and his name shall appear upon the ballots in the election for the office itself as the candidate of each party whose nomination he may have received as provided by law.

Whereas, it is desirable that this law become effective as soon as possible, in order that the Judiciary may as soon as possible be taken out of politics; and whereas, the public good demands it an emergency is hereby declared to exist, and this act shall become effective from and after the date of its passage and approval by the Governor.

Mr. Minor moved that consideration of the bill be deferred and that it hold its place in the Orders of the Day until the substitute can be printed and laid on the desks of members.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up for consideration House Bill No. 323.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 323. An Act relating to vehicles, regulating their use and operation upon the public highways in this

Commonwealth; providing for the registration of automobiles, and the registration of operators thereof; the method of registrations; to prevent illegal traffic therein; providing penalties for the violations of provisions of the Act, and repealing any and all conflicting laws.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. (a) Definitions. Whenever and wherever the word "vehicle" is used in this Act, it shall include all agencies for the transportation of persons or property over and upon the public highways of this Commonwealth, and all vehicles passing over or upon said highways, excepting road rollers, and such vehicles as travel exclusively on rails, and whenever and wherever the word "automobile" is used, it shall include all vehicles that are propelled otherwise than by muscular power, excepting road rollers and such vehicles as travel exclusively on rails.

(b) Whenever and wherever the word "Commission" is used herein, it shall mean the State Tax Commission, and whenever and wherever the word "clerk" is used herein, it shall mean the clerk of a county court.

(c) Whenever and wherever the word "chauffeur" is used herein, it shall mean a person whose business or occupation, in whole or in part, is the operation of an automobile for compensation, wages or hire.

(d) Whenever and wherever the word "manufacturer" is used herein, it shall mean any individual, partnership, corporation or company engaged in the business or occupation of manufacturing or assembling automobiles, who will, under normal business conditions during the year, manufacture or assemble as many as ten or more new automobiles.

(e) Whenever and wherever the word "dealer" is used herein, it shall mean any and all persons, partnerships, corporations, companies or agencies engaged in the business of purchasing, selling or distributing automobiles in this Commonwealth.

(f) Whenever and wherever the word "highway" is used herein, it shall mean any and all public highways, roads and passways, no matter of what type of construction, and all boulevards, parkways, streets and public alleys of any and all incorporated cities and towns, as well as the same in unincorporated towns and villages of this Commonwealth.

(g) Whenever and wherever the word "operator" is used herein, it shall mean the person in actual physical control of the guidance, starting and stopping of a vehicle.

§ 2. (a) Registration and Fees. Before the owner of an automobile shall operate, or be permitted to operate, same, or shall permit the operation of same upon any public highway, such owner shall register with the Commission, through the clerk in the county in which he resides, or in the county in which the automobile is to be operated, making application for such registration to the clerk of such county on a blank to be furnished by the Commission through the clerk, which application shall be accompanied by a bill of sale, if the application be for registration of a new car, or by exhibiting the owner's registration receipt, if such automobile has theretofore been registered, and thereafter he shall register his automobile on or before the first day of January each and every year. Provided, that in so far as the owner is concerned, the registration with the clerk as required by law shall be deemed to be a registration with the Commission.

(b) Such application blank shall contain blank spaces for, and the owner applying for registration shall give thereon, the following detailed information: Owner's name and post office address, name of manufacturer of the automobile, motor number, car or chassis number, if any, model and year number, horse power as rated by the Society of Automobile Engineers, motive power, style, and if the automobile be a truck, in addition to the foregoing, the owner shall give the tonnage capacity as rated by the manufacturer. Each and every application shall be accompanied by the appropriate fee and same shall be as follows:

(c) Fees for Passenger Automobiles. Automobiles primarily designed for carrying passengers and having provision

for not more than seven passengers, including the operator, shall be classified as passenger automobiles, and the annual registration fee for same shall be $6.00 on each automobile of less than 25 horse power; $11.00 on each automobile of 25 horse power and over but less than 50 horse power; $20.00 on each automobile of 50 horse power and over.

(d) Fees for Trucks. All automobiles not included in Sub-section (c) are classified as trucks, and the annual registration fee shall be as follows:

Those having a capacity of 1,000 pounds or less, $11.00; those having a capacity of more than 1,000 pounds up to 2,000 pounds, $15.00; those having a capacity of more than 2,000 pounds up to 3,000 pounds, $20.00; those having a capacity of more than 3,000 pounds up to 4,000 pounds, $25.00; those having a capacity of more than 4,000 pounds up to 5,000 pounds, $30.00; those having a capacity of more than 5,000 pounds up to 6,000 pounds, $35.00; those having a capacity of more than 6,000 pounds up to 7,000 pounds, $45.00; those having a capacity of more than 7,000 pounds up to 8,000 pounds, $55.00; those having a capacity of more than 8,000 pounds up to 9,000 pounds, $65.00; those having a capacity of more than 9,000 pounds up to 10,000 pounds, $75.00; those having a capacity of more than 10,000 pounds shall pay $75.00; and for each additional part thereof over 10,000 pounds $50.00.

In case any truck is operated or is to be operated by the owner, any person, corporation or company in the transportation of persons or any kind of property over the highways between cities, or between cities, towns or villages, for hire, the owner of each and every truck thus engaged shall pay in addition to the fees for registration based on tonnage capacity, and set out above, a sum equal to fifty per cent. over and above the fee which is above fixed for the truck to which class as based on tonnage capacity, such truck would belong. For trucks thus engaged, the Commission shall provide, and the clerk furnish, plates the same as is herein provided for other automobiles, except that they shall bear in distinct and legible form the letters "C. T.," and such trucks so operated shall be designated as "Carrier Trucks."

(e) Interchangeable Bodies. If the owner of an automobile has interchangeable bodies for same, so that at one time the automobile might be classed as a passenger automobile, and at another time as a truck, he shall be deemed to have complied with the law by having paid the higher fee and displaying the registration plates issued for that class.

(f) Proportionate Fees. If any person becomes the owner of an automobile on or after February first of any year, and for that reason registers for only part of a year, the fee shall be as many twelfths of the annual fee as there are unexpired months in the calendar year.

(g) Non-Residents—Reciprocity. A non-resident owner who has complied with the laws of the State, province or district of his residence relating to registration of automobiles or motor vehicles, and who displays the requisite plates and holds the requisite receipt or certificate of registration as required by his resident State, province or district, if such State, province or district does not require registration of non-resident owners temporarily therein, shall be exempt from registration in this State for the same period of time as is granted to non-resident owners of his State, province or district by the laws and regulations thereof. Provided that non-residents shall observe and obey all traffic regulations of this State; and provided further, that registration in any other State, province or district shall not in any wise relieve any owner, resident in this State from the penalties hereinafter provided for violations of this Act.

(h) Registration by Manufacturers and Dealers. Any manufacturer of or dealer in automobiles in this Commonwealth, may, in lieu of registering each automobile which he uses or intends to use for the purpose of exhibiting or demonstrating on any highway, apply for and secure, in the manner hereinbefore provided, one set of plates for an annual fee of twenty-five dollars, and may obtain additional plates for one dollar per set; provided, that a set of plates must be attached to each and every automobile which such manufacturer or dealer exhibits, demonstrates or operates on the public highway, in delivering automobile from factory to dealer, or from

manufacturer or dealer to purchaser. This sub-section, however, shall not be construed as exempting any dealer or manufacturer from paying the hereinbefore required fees for and registering such automobiles owned by him and employed in his personal or commercial use or uses other than demonstration or exhibition.

(i) Government Automobiles. Applications for registration for automobiles owned or operated exclusively by any city or county in the State or by the State or Federal governments, shall be accompanied by a statement from the head of the department of the State, Federal government, county, town or city so operating said automobile that same is so owned and operated; said application and statement shall be forwarded by the clerk to the Commission, which shall give special authority to the clerk to register same, and upon receiving same the clerk shall issue registration receipt and number plates as hereafter provided, except that no charge shall be made for the same by the Commission or the clerk.

(j) Motor Numbers. No clerk shall receive any application for registration, nor register any automobile, unless the automobile bears a motor number. In case there be no motor number, or if there be such number and same has been so tampered with, defaced or mutilated as not to be plainly legible, the owner shall make application through the clerk to the Commission for a motor number, and when such number is by the Commission assigned to the owner's automobile, it shall be the duty of the owner thereof to cause such number to be stamped on the motor with a steel die. The number so assigned and stamped shall thereafter be used by the owner in making registration or executing a bill of sale.

(k) Owner Extended Time—When. Should an owner because of sickness or absence from the State be unable to renew the registration of his automobile on or before January first, he will be deemed to have complied with the law, if before operating same in this State he registers such automobile at some later date and pays the fee for the full year, just as though he had renewed on or before January first, provided that the owner file with the application an affidavit showing such sickness or absence.

§ 3. (a) Issuance of Receipt and Registration Plates. Upon filing application and paying the fee as hereinbefore provided, said owner shall be given a receipt containing the registration number and the information included in the application and two plates bearing said number for services performed the owner shall pay the clerk the sum of forty cents for each registration.

(b) Display of Receipt and Registration Plates. The owner shall have the receipt issued by the Commission through the clerk constantly in his possession, and he shall display the plates issued to him conspicuously upon the front and the rear of said automobile, keeping them legible at all times said automobile is operated upon a public highway, with the further provision that the rear plate shall be illuminated when being operated during the hours designated in Section 7. Said owner shall not be required to place any other mark of identity upon said automobile. Provided, further, that the registration plates for any year shall not be displayed on any automobile after December thirty-first of that year, nor removed before said date, nor shall registration plates of the succeeding year be displayed, before December twenty-ninth of said year.

(c) Duplicate Receipts and Plates. Should the owner lose his registration receipt, he may obtain a duplicate from the clerk upon filing a written statement to that effect, upon a form furnished by the Commission, through the clerk, and for services rendered he shall pay to the clerk a fee of forty cents. Lost registration plate or plates shall be duplicated by the Commission and furnished to the original owner by the clerk. The owner shall make a written statement as to the loss of such plate or plates, and for the plate or plates to be thereafter issued he shall pay the sum of fifty cents for each plate, for which sum or sums the clerk shall thereupon issue his receipt, and for which service the owner shall pay the clerk the sum of forty cents. The possession of this receipt by the owner will permit him to operate his automobile upon the public highways until such time as he may receive his duplicate plate or plates, provided that he also display his

registration number on a temporary plate or plates, said number to be printed, stamped or painted on heavy cardboard or other substantial material, in such manner as to be plainly legible. The clerk, upon receipt of duplicate plate or plates shall immediately notify the owner by mail, and such owner shall within five days return to the clerk the receipt above mentioned, and receive the duplicates, and for this service the owner shall pay the clerk the sum of forty cents.

(d) Transfers. Whenever an automobile which has been previously registered changes ownership, the registration plates shall remain upon such automobile as a part thereof until the expiration of the registration year, subject, however, to the following provisions:

(1) No person acting for himself or another shall offer for sale or trade any such automobile without then and there having in his actual physical possession the clerk's receipt for the registration fee for the current year.

(2) No person shall sell or trade any such automobile without transferring by endorsement of the owner and delivering to the purchaser the clerk's receipt for the registration fee for the current year.

(3) No person acting for himself or another shall buy or trade for any such automobile without receiving the clerk's receipt for registration fee for the current year, endorsed as provided for above.

(4) Upon such change of ownership the purchaser as the application for transfer of registration, shall present to the clerk the endorsed receipt of the original owner together with a copy of bill of sale, both of which the clerk shall retain, and the purchaser shall accompany same with a transfer fee of one dollar, for which the clerk shall issue a receipt bearing the same data and information as is required on the original receipt except the change in name or address. For his services hereunder the purchaser shall pay the clerk a fee of forty cents. Said purchaser shall have in his possession a receipt showing such transfer before said automobile shall be operated on any public highway in this Commonwealth. Provided, if the purchaser junks or otherwise renders the automobile unfit for future use as such he shall be relieved of the duty of

transferring registration by the immediate delivery of registration plates, endorsed receipt and second copy of bill of sale, to the clerk, whereupon the clerk shall immediately return said plates, receipt and copy of bill of sale to the Commission, and for these services the purchaser shall pay the clerk the sum of forty cents.

(e) The bill of sale provided for in this act shall contain the date, vendee's name and post office address, vendor's name and post office address, the occupation of each and the information provided for in subsection (b) of Section 2 of this act, and shall be subscribed and sworn to before any officer authorized to administer an oath.

No person for himself or his employe or agent or as an officer of any court, shall sell, trade, transfer or deliver any automobile without at the time delivering to the purchaser thereof a bill of sale executed in triplicate, two copies of which shall be delivered to the purchaser, one of which he may retain as evidence of ownership, the second copy to be delivered to the clerk upon application for original registration or as part of application for transfer of registration. The third copy shall immediately be delivered to the clerk by the seller.

§ 4. (a) Registration of Chauffeurs. Before any chauffeur shall operate or drive an automobile upon any public highway in this Commonwealth, and before any person, firm or corporation shall employ any chauffeur as defined under this act, said chauffeur shall register with the Commission through the clerk in the county in which he resides or intends to operate as such.

(b) Application Blanks. Application for registration shall be made upon a blank furnished by the Commission through the clerk, in which the applicant shall state his age, name and address, and any other information provided for on the blank furnished, and have such information endorsed and vouched for by two reputable citizens of said county who have known the applicant for not less than sixty days prior thereto, and the applicant shall accompany such application by an annual fee of $2, if made before September first of any year, or by the fee of $1 if after September first,

and thereafter shall apply for renewal of registration on or before January first of each year.

(c) Non-Resident Chauffeurs. A non-resident chauffeur who has complied with the laws of his State, province or district regarding registration or licensing of chauffeurs, and has in his possession the proper receipt or badge, and whose State, province or district does not require registration or licensing of non-resident chauffeurs shall be exempt from registration in this State for the same period of time as exemption is granted to non-resident chauffeurs by his State, province or district, provided, however, that a registration or license of any other State, province or district shall be no protection to any resident chauffeur of this State when operating in this State.

(d) Chauffeur Extended Time—When. Should a chauffeur previously registered, and on account of sickness or absence from the State be unable to renew his registration on or before January first, he will be deemed to have complied with the law if before operating an automobile he registers at some later date and pays the fee for the full year just as though he had renewed on or before January first, provided that the chauffeur file with the application an affidavit showing such sickness or absence.

§ 5. (a) Issuance of Receipt and Badge. Upon filing application and paying the fee as hereinbefore provided, said chauffeur shall be given a receipt on a blank furnished by the commission, said receipt to contain his name and address, registration number and his description, and with it he shall also be given a numbered metal badge, and for his services the registrant shall pay to the clerk a fee of forty cents.

(b) Display of Badge and Receipt. The chauffeur shall have the receipt constantly in his possession, and shall prominently display the metal badge upon his clothing when operating an automobile on any public highway. But he shall not display the badge for any previous year after December thirty-first, nor shall the badge of the succeeding year be displayed before December twenty-ninth of the current year.

(c) Duplicates. Should the chauffeur lose his receipt or badge, he may obtain a duplicate for the same charges and fees and by following the same procedure as specified under subsection (c) or Section 3 of this act, with relation to lost receipts and lost plates.

§ 6. False Statement and Fictitious Badges, Plates and Receipts. No person shall make any false statement in applications made for registration, motor numbers, or duplicates of receipts, plates or badges and the penalty provided for violation of this Section as provided in Section 19 hereof shall be printed prominently on every form or blank used for said purposes, and furnished by the commission, and no person shall use, display or keep registration plates, badges or receipts that do not belong, or have not been issued, to such person.

§ 7. Equipment and Extras on Vehicles—When and How to Use—Provisions for Towing and Trailers. (a) Every vehicle, when upon a public highway shall be equipped so as to make a minimum of noise, smoke or other nuisance, and so as to protect the rights of other traffic and to promote public safety, and in so doing, shall follow the provisions hereafter set out; Provided that whenever lights are required, they shall be displayed during the period from one-half hour after sunset to one-half hour before sunrise, and at such other times as atmospheric conditions render visibility as low as or lower than is ordinarily the case during said period, and that provisions as to distances mean under ordinary atmospheric conditions.

(b) Lights. Automobiles and bicycles only are required to display lights as follows:

(1) At the rear, one lighted lamp, showing red, visible from the rear two hundred feet away.

(2) When not in operation at least two lighted lamps showing white, or tinted other than red, visible from the front two hundred feet away.

(3) When in operation bicycles and two-wheeled motorcycles shall have at least one, and all other automobiles, including three-wheeled motorcycles, shall have at least two

lighted lamps in front, showing white, or tinted other than red, light, and of sufficient power to clearly reveal substantial objects at least two hundred (200) feet except for bicycles, fifty (50) feet ahead; provided any light projected ahead or sidewise shall be so arranged or deflected that no glaring rays from it or from any reflector shall be at any time more than three and one-half feet above a level surface at a distance of seventy-five feet or more ahead of such vehicle, and provided further, that in case of accident or emergency, automobiles may display lantern or other lights of smaller power, but if insufficient to clearly reveal substantial objects at least seventy-five (75) feet ahead, shall not proceed at a rate of speed in excess of eight (8) miles an hour; Provided that no automobile shall be sold in this Commonwealth unless the light projected by the headlights meets the foregoing requirements at the time of sale.

(4) Cities or towns may by ordinance designate certain well lighted streets or parts thereof during certain periods as being sufficiently illuminated to make lights on parked automobiles unnecessary, in which case paragraphs one and two shall not apply to automobiles parked in such streets during such period, and may also provide that when in operation in such designated street or parts thereof during such period, lamps in front may be of less power than as is provided in paragraph (3), in which case that provision of paragraph (3) shall not apply.

(c) Mufflers. Every automobile with an internal combustion, steam or air motor shall be equipped with a suitable and efficient muffler and it shall be unlawful while on a public highway to operate same with the muffler cut-out or removed. No cut-out shall be so arranged or connected as to permit the operation or control thereof by the driver of any automobile, whilst in position for driving.

(d) Brakes. No owner shall knowingly operate or permit to be operated on a public highway an automobile upon which the brakes are defective or out of order.

(e) Steering Device. No owner shall knowingly operate or permit to be operated on a public highway an automobile upon which the steering device is defective or out of order.

(f) Horns. Every automobile and bicycle, when in use on a public highway, shall be equipped with a horn, bell, or other device capable of making an abrupt sound sufficiently loud to be heard under all ordinary conditions of traffic, and every person operating an automobile or bicycle shall sound said horn or other sound device whenever necessary as a warning of the approach of such vehicle to pedestrains, or other vehicles, but shall not sound said horn or sound device unnecessarily.

(g) Towed Vehicles. No vehicle shall tow (and by "tow" is meant the hauling with a tow line) more than one other vehicle, and the tow line shall not be over eighteen feet long, and a white cloth or flag shall be fastened to the tow line at or near the center thereof day and night, so as to make it plainly discernible, and each vehicle shall separately display the lights required on vehicles of the class to which they belong.

(h) Trailers. No vehicle shall at one time haul more than two trailers (and by "trailer" is meant another vehicle connected in such manner as to keep them uniformly spaced), and each trailer must carry at least one lighted lamp on its left side in such manner as to show a green light to the front and a red light to the rear, visible two hundred (200) feet away.

(i) Projections. When any part of a load projects more than five feet beyond a vehicle, a red flag by day, or a red light during the period provided above, must be placed upon the extremity of such projection.

(j) Truck Capacity. For the purpose of the provisions of subsection (b) of section 8, and of subsection (r) of section 10, every truck and every trailer pulled by a truck shall have prominently painted on each side thereof in letters and numerals not less than three inches in height in a color of sharp contrast to the color of their background, its capacity in tons as rated by the manufacturer, and in a form similar to the following: "Capacity 2 tons."

§ 8. Conditions Under Which Vehicles Shall Not Operate. (a) No vehicle unless actually engaged at the time in construction or repair work on roads, shall be permitted on

any public highway if the tire has on its periphery any block, lug, stud, cleat, ridge, bead, or any other protuberance of metal that projects more than one-fourth of an inch beyond the tread, unless protected by bands or some other sufficient device to protect the surface of the highway against injury, provided that nothing herein shall be construed as prohibiting the use of tire chains, nor as prohibiting the use of traction engines with cleats on the tires, upon dirt roads.

(b) Width of Tire. No person shall operate a vehicle on a public highway which has a greater weight on any tire per inch of width of same which is in contact with the surface of the highway than:

For iron or steel tires, 500 pounds.

For solid rubber or rubber-compounded tires, 800 pounds.

(c) Maximum Load. No vehicle, including its contents, weighing in excess of fifteen tons, shall be operated upon a public highway, unless permission is granted in writing by the city engineer or mayor of any city, or by the county judge or road engineer of any county, in which it is desired to operate such vehicle outside of any city therein.

§ 9. Who Shall Not Operate. (a) No person under eighteen years of age shall operate any automobile upon a public highway unless accompanied by the owner or some older person authorized by the owner, and such owner or other older person shall govern the operator and the movements of the automobile, and the operator shall be governed by such owner or other older person, provided that no person less than fourteen years of age shall operate an automobile on a public highway at any time or under any conditions.

(b) Intoxicated. No intoxicated person shall operate any vehicle upon a public highway.

§ 10. Rules for Operation of Vehicles. (a) The operator of any vehicle when upon a public highway shall operate such vehicle in a careful manner, with due regard for the safety and convenience of pedestrians and all other vehicles or traffic upon such highway, and shall travel upon the right side of such highway whenever possible, and unless the left side of such highway is clear of all other traffic or obstruction and presents a clear vision for a distance of at least one hundred and fifty feet ahead.

(b) Right of Way in Passing. Two vehicles passing or about to pass each other in opposite directions shall have the right of way, and no other vehicles to the rear of such two vehicles shall pass or attempt to pass such vehicles.

(c) Right of Way at Intersections. Except where otherwise directed by a traffic officer the operator of a vehicle shall yield the right of way at the intersection of their paths to a vehicle approaching from the right, unless such vehicle approaching from the right is further from the point of the intersection of their paths than such first-named vehicle. Provided that a vehicle being operated on any inter-county seat highway, designated state highway, or boulevard, or any street which may by ordinance be designated as being equal in importance to a boulevard, shall not be required to observe the foregoing regulations at points where any such above described highway intersects another highway of a lesser class.

(d) Ambulances, Patrols and Fire Apparatus. Police and fire patrols, ambulances, and fire apparatus in all cases while being operated as such shall have the right of way, with due regard to the safety of the public.

(e) Vehicles Meeting. Vehicles proceeding from opposite directions shall pass each other to the right, each giving to the other one-half of the road as nearly as possible.

Overtaking Vehicles. Vehicles overtaking other vehicles proceeding in the same direction shall pass to the left thereof, and shall not again drive to the right until reasonably clear of such vehicles, and the person operating or in charge of the overtaking vehicle shall sound horn, or other sound device before passing such vehicle; Provided that vehicles overtaking street cars may pass same either to the right or left, having due regard for other traffic.

(g) Duty of Operator of Any Overtaken Vehicle. It shall be the duty of the operator of a vehicle about to be overtaken and passed to give way to the right in favor of the overtaking vehicle upon suitable and audible signal being given by the overtaking vehicle if such overtaking vehicle be an automobile or bicycle.

(h) Turning at Intersections. When turning to the right at an intersection of public highway, vehicles shall keep

to the right of the center and in turning to the left shall pass to the left of the center, keeping, however, as far to the right as is possible so to do and still pass to the left of said center. For the purpose of this subsection the "center" shall be held to mean the meeting point of the medial lines of the two highways.

(i) Assistance in Passing or Overtaking. In all cases of meeting, passing or overtaking of vehicles such assistance shall be given by the operator and occupants of each vehicle, respectively, to the other as the circumstances shall reasonably demand, in order to obtain clearance and avoid accidents, provided that no vehicle meeting or overtaking another vehicle or attempting to pass any other vehicle on a highway whose surface is less than fourteen feet in width shall be operated at a greater speed than fifteen miles per hour.

(j) Precautions on Meeting Animals. Every person operating a vehicle on a public highway and approaching any animal being ridden or driven shall exercise every reasonable precaution to prevent frightening any such animal and to insure the safety of any person riding or driving same, and if any such animal appears frightened, if requested by a signal of the hand of the driver or rider of same, the operator shall not proceed further toward any such animal unless such movement be necessary to avoid injury or accident until such animal shall be under the control of the rider or driver thereof.

(k) Slow Moving Vehicles. The operator of any vehicle moving slowly upon any public highway shall keep such vehicle as closely as practicable to the right hand boundary of the highway, allowing more swiftly moving vehicles reasonably free passage to the left.

(l) Passing Cars. Whenever any car traveling upon rails embedded or placed in the center or approximate center of a public highway is stopped for the purpose of receiving or discharging passengers, every operator of a vehicle approaching the same from the rear and proceeding in the same direction shall bring said vehicle to a full stop and shall not start up or attempt to pass until the said car has finished receiving or discharging passengers, except that where the width of the highway permits the establishment of safety isles of

reasonable size and still leave sufficient space between same and the curb or edge of the highway for the passing of traffic, and where such safety isles are established, overtaking vehicles shall pass between said isle and the curb or edge of highway, without observing the foregoing rule.

(m) Approaching Curves. Every operator of an automobile or bicycle, when approaching a curve or an obstruction to the view on a public highway which prevents a clear view for a distance ahead of one hundred and fifty feet, shall hold said automobile or bicycle under control and shall give warning by horn or other sound device of his approach.

(n) Stopping or Repairing on Public Highways. No person shall stop a vehicle or leave same standing or cause or permit same to stop or to be left standing upon the main traveled portion of any public highway nor upon any intersection thereof for the purpose of taking on or discharging passengers, or for the purpose of making repairs thereon or to any part thereof; Provided, however, that this provision shall not apply to a vehicle which shall be disabled while on such main traveled portion of the highway in such a manner and to such extent that it is impossible to avoid the occupation of said main traveled portion or impracticable to remove the same therefrom until repairs shall have been made or sufficient help obtained for its removal.

(o) Leaking Contents. No vehicle shall be operated upon any public highway unless it is so constructed as to prevent its contents from dropping, sifting, leaking or otherwise escaping from such vehicle.

(p) Signals. Every person operating a vehicle on any public highway before turning, stopping, or changing the course of such vehicle and before turning such vehicle when starting the same, shall see first that there is sufficient space for such change or turn to be made in safety, and if it appears that the movement or operation of another or other vehicles may reasonably be affected by such change shall give plainly visible signals to the operator of such vehicle of his intention to change, turn or stop by the use of his hand and arm or of an electrical or mechanical device approved by the commission, and shall use the following positions of the hand and arm in announcing his intentions:

(1) Intention to turn such vehicle toward the right or toward the left shall be indicated by extending the hand and arm horizontally from and beyond the side of the vehicle toward which the turn is to be made, or by extending the hand and arm upwardly at an angle of forty-five degrees or greater from the horizontal from the side opposite the direction towards which the turn is to be made.

(2) Intention to stop a vehicle or to abruptly or suddenly check its speed shall be indicated by extending the hand and arm out from and beyond either side of the vehicle in a downward direction at an angle of forty-five degrees or greater from the horizontal.

(q) Speed. No operator of a vehicle on a public highway shall drive at a greater speed than is reasonable and proper, having regard for the traffic and the use of the highway. Provided that:

(1) Where a highway passes through the closely built-up business portions of any city or town, if the rate of speed of passenger automobiles thereon exceed fifteen miles an hour it shall be prima facie evidence of unreasonable and improper driving.

(2) Where a highway passes through the residence portions of any city or town, if the rate of speed of passenger automobiles exceed thereon twenty miles an hour it shall be prima facie evidence of unreasonable and improper driving.

(3) Where a highway is outside of the closely built-up business portions, or the residence portion of any city or town, if the rate of speed of passenger automobiles thereon exceeds thirty miles an hour, it shall be prima facie evidence of unreasonable and improper driving.

(4) For trucks of a capacity of one ton or less, as rated by the manufacturer, and equipped with rubber tires the provisions of paragraphs (1), (2) and (3) above shall govern, except the respective speeds in each instance shall be ten, fifteen and twenty-five miles an hour.

(5) For trucks of a capacity of more than one ton but less than two and three-quarter tons, as rated by the manufacturer and equipped with rubber tires, the provisions of paragraphs (1), (2) and (3) above shall govern, except the

respective speeds shall be seven, fourteen and twenty miles an hour, in each instance.

(6) For trucks of a capacity greater than two and three-quarter tons as rated by the manufacturer and equipped with rubber tires the provisions of paragraphs (1), (2) and (3) above shall govern, except the respective speeds shall be seven, eleven and fifteen miles an hour, in each instance.

(7) For trucks equipped with iron or steel tires and for trucks equipped with rubber tires but towing or trailing vehicles with iron or steel tires, the provisions of paragraphs (1), (2) and (3) above shall govern, except the respective speeds shall be six, eight and ten miles an hour, in each instance.

(8) Trucks with capacities as set out in paragraphs (4) and (5) pulling trailers of such capacity that the combined capacities would equal the capacities set out in paragraphs (5) and (6) respectively shall be governed by the provisions of said paragraphs (5) and (6).

(9) Nothing in the paragraphs above shall apply to vehicles owned and operated by the fire, police or hospital departments of any municipality.

§ 11. Right of Action Not Prejudiced. Nothing in this act shall be construed as curtailing or abridging the right of any person to prosecute a civil action for damages by reason of injuries to person or property resulting from the negligent use of vehicles on public highways.

§ 12. Duty in Case of Accident. Any person, who, while operating a vehicle on a public highway, shall run against, over, or into any other person, vehicle or personal property in possession of any other person in such manner as may injure or damage such other person or property, shall immediately stop and ascertain the extent of such injury or damage and render such assistance as may be needed, including the carrying of such person or occupants of such vehicle to the nearest medical aid, if such carrying is requested by the person struck, or by any occupant; and such operator, person or persons having or assuming authority of such operator, or ownership of such vehicle, shall give the occupant of such vehicle, or person struck, if requested, the registration number of such vehicle, if any, also the name and address of the owner thereof and the names and addresses of the occupant and operator,

the total names not to exceed five in number, unless more be voluntarily given.

§ 13. Tampering With Vehicles or Parts Thereof. (a) No person shall, without the consent of the owner or the person in control thereof, tamper with any vehicle, or parts thereof, while the same is standing upon a public highway.

(b) Removing Parts. No person shall break, injure or remove any part or parts or any accessories of any vehicle for any purpose whatsoever against the will or without the consent of the owner of such vehicle, whether maliciously or otherwise.

(c) Changing Motor Numbers. No person shall purposely deface, change from the rightful number, or make illegible any motor or chassis number of an automobile, nor shall any person knowingly have in his possession any automobile having thereon or therein an altered, changed, mutilated or illegible motor number.

§ 14. Glass Throwing. No person shall throw or deposit upon any public highway any glass bottles, glass, nails, tacks, hoops, wire, cans or other substance likely to injure any person, animal or vehicle.

§ 15. Taking Vehicles Without Consent of Owners. Any person who shall unlawfully take, drive or operate a vehicle without the knowledge and consent of the owner shall be guilty of the offense of grand larceny, and punished as provided by law in such cases.

§ 16. Revocation of Registration and Duty of Courts. (a) In case the operator of a vehicle is convicted of the violation of any of the provisions of this act as many as four times within any period of six months, the commission shall forthwith revoke the registration receipt of such person if he be the owner or chauffeur of an automobile, and in case such offending operator is the driver of any other vehicle, the commission shall notify him that thereafter he is subject to the provisions of subsection (b) hereof.

(b) Shall Not Operate. Whenever the owner or the chauffeur of an automobile has had his registration receipt revoked, as provided above, or whenever the driver of any other vehicle has been notified by the commission of the violations of this act, such person shall immediately give up registration re-

ceipt, number plates or badges as the case may be, to the clerk and such person so notified, or whose registration receipt has been revoked, shall not operate or drive any vehicle upon the public highways during a period of six months after such revocation or notice; and no clerk shall issue a registration receipt to any such person until the expiration of such period.

(c) Duty of Trial Court. It shall be the duty of every trial court, in every case in which a conviction be had for the violation of any of the provisions of this act, to transmit immediately to the commission, a copy of the judgment of conviction, giving the name and post office address of the person convicted.

§ 17. Duties of the Clerk. (a) It shall be the duty of the clerk in each county to see that the provisions of this act in his county are enforced, and in so doing he shall:

(b) Take all applications as provided in this act.

(c) Issue the receipts provided for in this act on blanks furnished by the commission.

(d) Collect the fees due the state as provided for in this act.

(e) Distribute the registration plates and badges furnished by the commission and keep a complete record in his office for the benefit of the public of all such registrations in his county, and to notify the owner or chauffeur of the receipt by him of duplicate badges or plates.

(f) Remit and report each Monday to the commission all moneys collected under him during the previous week, after deducting his fees, together with the duplicates of all receipts issued by him during the same period, all checks to be made payable to the State Treasurer. The fees to be deducted by the clerk shall be those only where the fee is fixed at forty cents.

(g) Account to the commission for all registration plates, badges and receipt forms consigned to him, at such time or times as the commission may direct; give the commission timely notice of a probable deficiency of plates or other supplies.

§ 18. Duties of the Commission. (a) It shall be the duty of the commission to carry out the provisions of this act, and in so doing shall:

(b) Furnish Blanks and Instructions. Prepare and furnish to the clerk in each county a good and sufficient supply of all forms or blanks provided for in this act, provided that the form for receipts shall be designed for the writing of triplicate copies, the originals of which, except those to be used for duplicates of lost receipts, shall be numbered consecutively for each county, the second and third copies bearing the same number as the original; and the colors of all three copies shall be different and the combination of colors shall not be for the same for consecutive years; shall also furnish each clerk a list of horse power ratings of all automobiles as determined by the Society of Automobile Engineers.

(c) Keep Record. Keep a numerical record of all registration numbers issued in the State for which they may use the second copy of receipts forwarded by the clerk of each county, a record of motor numbers assigned owners under subsection (j) of section 2. Also keep the copies of judgments of convictions for violations of this law, all of which shall constitute a public record.

(d) Furnish Registration Plates. Furnish the clerk of each county at all times a good and sufficient supply of registration plates. Said registration plates to have the registration number, the letters "KY." and the year embossed thereon; and such numerals and letters shall be of a contrasting color to the background of the plate, and the combination of colors shall not be the same for consecutive years. There shall be a separate series of registration plates assigned for motorcycles, passenger automobiles, except motorcycles, trucks and dealers and manufacturers, and for carrier trucks. The motorcycle plates shall be distinctive because of their smaller size; the passenger, except motorcycle plates shall consist only of the numbers and letters specified above; the truck plates shall have the registration number preceded by the letter "T," of the same size or larger than the numerals; and plates for dealers and manufacturers shall have the registration number preceded by the letter "M," of the same size or larger than the numerals, and plates for carrier trucks shall have the registration number preceded by the letters "C. T." of the same size or larger than the numerals. The

numbers used on all plates for automobiles other than motorcycles shall carry separate Arabic numerals not less than four inches in height, and each stroke to be of a width of not less than one-half inch. The letters "KY." and the year number shall not be less than one inch in height. All other letters or lettering herein provided for shall be as large or larger than the numerals. The commission may select for motorcycles a proper and practicable size plate, and may direct the lettering and numbering thereon to be of such size as they may deem to be proper.

(e) Registration Numbers—County Number. A distinctive number shall be assigned to each county in the state, which shall not be changed, and the registration numbers for each county shall consist of said number for that county, followed by a dash, followed in turn by the individual identification number of the automobile, which number shall begin at one for each county and thereafter consecutively for as many automobiles as may be registered in that county for that year.

(f) Chauffeur Badges. Furnish a metal badge for each chauffeur's registration, consecutively numbered, with the letters, "KY." and the year number thereon, and shall allot a sufficient supply to the clerk in each county. Said badge shall be of different form or design for each year.

(g) Supply Not Later Than November 15. Registration plates, badges and forms for the succeeding year in number equal to or greater than the current year's registration in that county shall be delivered to the clerk in each county not later than November fifteenth, and the commissioner, with the assistance of the clerk, shall estimate as closely as possible the increase in registration and make provision therefor as soon after said date as possible.

(h) Lists. Furnish lists of all registrations and transfers to those who subscribe for same on an annual basis on multigraphed or mimeographed sheets, beginning not later than January fifteenth, and followed thereafter weekly. These lists are to be furnished at a reasonable price, but not to exceed seven and one-half cents per one hundred names. Separate county lists may also be furnished subscribers in the

same manner as State lists are furnished, the price therefor not to exceed fifteen cents for one hundred names.

(i) Disposition of Funds. Receive all moneys forwarded by the clerk in each county and turn over same to the Auditor for the benefit of the State road fund; and out of this fund shall be paid the expenses of said commission incident to the enforcement of this Act; said payments being made in the manner provided by law for payment of salaries and expenses.

(j) Settlements. Shall at the end of each fiscal year make a settlement of the accounts showing the receipts and expenditures and file same with the Auditor of Public Accounts for the State. And they shall further require an accounting from the clerk in each county for all moneys received by him under the provisions of this Act, after the deduction of his fees under this Act, and for all receipts, forms, plates and badges consigned to him.

(k) Publication and Distribution of Act. Cause to be printed not less than one hundred thousand copies of this Act and to distribute through the clerk in each county a copy to each person applying for registration or transfer of registration, and when such supply is exhausted, shall cause additional copies to be printed from time to time as may be necessary.

(l) Shall assign motor number when applied for under Sub-section (j) of Section 2, such motor numbers to be distinctive, so as to show their designation by the commission.

§ 19. Arrests for Violation of Law. Any peace officer may make arrests for violation or violations of this Act in the following manner:

If the offense committed be a misdemeanor, the peace officer may make the arrest:

(a) Without warrant if the offense be committed in his sight;

(b) With warrant if he does not observe the commission of the offense.

If the offense be a felony, the peace officer may make the arrest without warrant if he has reasonable grounds for believing that an offense amounting to a felony has been committed.

If the arrest be for an offense amounting to a felony, the officer shall proceed with the arrested person as in other felony cases.

If the arrest be for a misdemeanor, and the arrest be made without warrant, the accused may elect to be immediately taken before the nearest court having jurisdiction, whereupon it shall be the duty of the peace officer to so take him. If the arrested person elect not to be so taken, then it shall be the duty of the peace officer to require of the arrested person a bail bond, in a sum not less than twice the amount of the maximum fine provided for the violation of the law, and in cases where the penalty carries imprisonment, not less than ten times the amount of the maximum fine. The condition of the bond shall be such that the arrested person binds himself to appear in the court of jurisdiction at a time fixed in the bond, not, however, in any case later than six days from the day of arrest. In case the arrested person fail to appear on the day fixed, the bond shall be forfeited in the manner as is provided for the forfeiture of bonds in other cases.

No officer shall be permitted to take a cash bond, but he may, in his judgment, require or not require surety on the bond.

The officer arresting and taking bond shall report the same to the jurisdictional court within eighteen hours after taking such bond.

§ 20. (a) Penalties. Any person violating the provisions, or any of them, of Sections 2, 4, 5, 7, 8, 9, 10, 14, 16 and 17, or Sub-sections (a), (b) or (c) of Section 3, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten nor more than one hundred dollars for each offense.

(b) Any person violating the provisions of Sections 6, 12 or 13, or Sub-sections (d) or (e) of Section 3, or any of them, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten nor more than two thousand dollars, or by imprisonment in the county jail for not exceeding one year, or by both such fine and imprisonment within or to the maximum of both.

(c) The above sub-sections shall not be construed in any wise as relating to the penalty fixed by Section 15 of this Act.

§ 21. Time Effective. This Act in all its parts and provisions shall take effect as provided by the Constitution and laws, except that so much thereof as relates to the registration of automobiles and chauffeurs shall not take effect and be in force until December 2, 1920.

§ 22. Any and all laws and parts of laws in conflict herewith are hereby repealed.

§ 23. Constitutionality. If any section, sub-section, paragraph, sentence, clause or phrase of this Act is for any reason held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Act. The General Assembly hereby declares that it would have passed this Act, and each section, sub-section, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, sub-sections, paragraphs, sentences, clauses and phrases be declared unconstitutional, or invalid.

Mr. Neel moved that the House resolve itself into the Committee of the Whole House for the purpose of hearing Honorable Charles H. Morris discuss this bill and the amendments offered by the Committee.

Said motion was agreed to.

Then the House resolved itself into the Committee of the Whole House, with Honorable A. S. Cooper in the chair.

Mr. Morris addressed the Committee briefly, after which the Committee rose and the Chairman, Mr. Cooper, reported that the Committee of the Whole had heard the address of Mr. Morris and had had under consideration House Bill No. 323, but had come to no resolution thereon.

Then the Speaker, Mr. Bosworth, resumed the chair.

The Committee offered the following amendment:

Amend Sub-section (a) of Section 8, on page 14, of House Bill No. 323, by striking therefrom all of said Sub-section following the letter (a), and inserting in lieu thereof the following: In all cases where chains are used on rubber tired vehicles the cross chains shall not be more than three-fourths of an inch in thickness or diameter, and shall be spaced not more than ten inches apart, around the circumference of the tires.

No person shall wilfully operate any vehicle on any public highway in such manner as to do injury thereto. Any machinery, utensils or implements used solely for agricultural, farming or manufacturing purposes may be operated on the highways under present equipment.

Amend Sub-section (h) of Section 18, page 25, printed bill, by inserting between the words "furnish" and "lists" the words "serial numerical."

Said amendment was agreed to.

The committee offered the following amendment.

Amend Sub-section (a) of Section 8, on page 14, of House Bill No. 323, by striking therefrom all of said Sub-section following the letter (a) and inserting in lieu thereof the following: In all cases where chains are used on rubber tired vehicles the cross chains shall not be more than three-fourths of an inch in thickness or diameter, and shall be spaced not less than ten inches apart, around the circumference of the tires.

No person shall wilfully operate any vehicle on any public highway in such manner as to do injury thereto. All vehicles and machinery used purely for agricultural or manufacturing purposes (excepting trucks) may be operated under this Act with present equipment.

Said amendment was agreed to.

Mr. Vance offered the following amendment:

Amend House Bill No. 323 in House by striking therefrom Sub-sections c, d, and e of Section 2, and inserting in lieu thereof the following:

(c) Fees for Passenger Automobiles. For each motorcycle the registration fee shall be ten dollars.

Automobiles primarily designed for carrying passengers and having provisions for not more than seven passengers, including the operator, shall be classed as passenger automobiles, and the annual registration fee for same shall be sixty cents for each horse power of the vehicle registered, to be calculated on the rating fixed by the Society of Automobile Engineers.

(d) Fees for Other than Passenger Automobiles. All automobiles not included in Sub-section (c) above are classified as trucks, and the annual registration fee shall be as follows: Those having a capacity of one thousand pounds or less, twenty-two dollars; those having a capacity of more than one thousand pounds and up to two thousand pounds, thirty dollars; those having a capacity of more than two thousand pounds and up to three thousand pounds, forty dollars; those having a capacity of more than three thousand pounds and up to four thousand pounds, fifty dollars; those having a capacity of more than four thousand pounds and up to five thousand pounds, sixty dollars; those having a capacity of more than five thousand pounds and up to six thousand pounds, seventy dollars; those having a capacity of more than six thousand pounds and up to seven thousand pounds, ninety dollars; those having a capacity of more than seven thousand pounds and up to eight thousand pounds, one hundred and ten dollars; those having a capacity of more than eight thousand pounds and up to nine thousand pounds, one hundred and thirty dollars; those having a capacity of more than nine thousand pounds and up to ten thousand pounds, one hundred and fifty dollars; those having a capacity of more than ten thousand pounds shall pay one hundred and fifty dollars and fifty dollars for each additional ton. The applicant for

license for motor trucks shall state in his application the capacity of the truck.

Said amendment was agreed to.

Mr. Vance offered the following amendment:

Amend House Bill No. 323, by striking therefrom Sub-sections (d) and (e) of Section 18, page 24, printed bill, and inserting in lieu thereof the following:

(d-e) Furnish Registration Plates, etc. The Commission shall furnish to each clerk, originally each year upon estimate, and thereafter upon registration, at all times a sufficient supply of plates for all classes of vehicles required to be registered. Such plates shall be selected by the Commission, or some person under their direction, and shall be of proper and practicable form and size, and shall contain such lettering and numbering as the Commission may deem to be proper, practicable and efficient for the intended purposes.

Said amendment was agreed to.

Mr. J. H. Thompson offered the following amendment:

Amend Section 8, Sub-section c, line 17, by striking out the word "fifteen" and substitute therefor the word "six."

Said amendment was agreed to.

Mr. Gossett offered the following amendment.

In counties of twenty-five thousand or less in population, auto license be issued by Circuit Clerks instead of County Court Clerks, and they be allowed 50 cents for each license.

Said amendment was disagreed to.

Mr. Ciarlo offered the following amendment:

Amend House Bill 323, by striking out, commencing in line 5, after the word "number," on page 7, the following: "for services performed the owner shall pay the clerk the sum of 40 cents for each registration," and add in lieu thereof the following: "for services performed the clerk shall deduct from the money collected for registration the sum of 40 cents for each registration."

A division was called for.

Upon a division, said amendment was adopted, yeas 33, nays 28.

Mr. Laughlin offered the following amendment:

By striking out the word "forty," in line 17, paragraph F, Section 17, page 23, and inserting in lieu thereof the word "fifty."

Said amendment was disagreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Vose moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	W. L. Kimbrough	W. P. Scott
Jo F. Bosworth	Dr. S. D. Laughlin	E. E. Shannon
Rodney G. Bryson	Hebron Lawrence	H. G. Skiles
Roy J. Cain	Joseph Lazarus	R. Lee Stewart
W. T. Carner	Elmer Lusby	T. R. Stultz
J. F. Carr	I. S. Mason	John W. Swope
Charles M. Ciarlo	A. J. McCandless	Dr. D. J. Travis
A. S. Cooper	R. L. McFarron	C. B. Truesdell
H. N. Dean	H. C. McClellan	John L. Trumbo
H. C. Duffy	Harry J. Meyers	J. Wood Vance
J. M. Foster	Mack J. Morgan	Fred C. VanHoose
A. L. Hamilton	John T. Murphy	Daniel Vose
A. F. Hanberry	Estill W. Neel	Geo. C. Waggoner
Talbert Holliday	T. C. Pryse	J. S. Webb
Adam W. Huff	S. C. Ray	Gladstone Wesley
R. O. Huntsman	J. L. Richardson	R. E. Wilborn
J. W. Johnson	Sherman Robbins	V. M. Williamson
Henry Kaufman	Lee Rogers	Dr. W. S. Yazell
Frank Kennard	B. A. Roth	—56

Those who voted in the negative were:

Lon Adams	D. J. Howard	Frank L. Strange
H. H. Barnes	Robt. Humphreys	J. Mack Thompson
B. L. Cox	Claude D. Minor	Dr. T. R. Welch
P. A. Day	Chas. A. Nelson	W. G. Wheeler
Dr. W. L. Gossett	B. F. Reynolds	—14

Resolved, That the title thereof be as aforesaid.

Mr. Vose moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, called up for consideration House Bill No. 31.

Mr. Vose moved that said bill be recommitted to the Committee on Public Offices.

Said motion was agreed to.

Mr. Vose, of the Committee on Rules, moved that the following bills be read the first time and placed in the calendar:

House Bill No. 512, entitled: An Act to amend and reenact Section 4527, Kentucky Statutes, Carroll's 1918 Edition.

House Bill No. 516, entitled: An Act to repeal Chapter I, Acts of 1918, relating to issuance of free passes or transportation by railroad companies.

House Bill No. 482, entitled: An Act fixing the salary of Deputy Insurance Commissioner.

House Bill No. 483, entitled: An Act to amend and reenact Section 606, paragraph 1, of the Civil Code of Practice.

House Bill No. 538, entitled: An Act to amend and reenact Sub-section 1 of Sections 1137 of Kentucky Statutes, Carroll's Edition, 1915.

Said motion was agreed to and said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Vose moved that the calendar be read and that the bills in the calendar be read by their titles only.

Said motion was agreed to.

Then the House took up for consideration from the calendar the following bills:

House Bill No. 514, entitled: An Act to amend and reenact Sub-section 2, of Section 1569-a of Kentucky Statutes,

Carroll's Edition, 1915, relating to county election commissioners.

House Bill No. 524, entitled: An Act to annul the charter of the town of Aberdeen, Butler County, Kentucky.

House Bill No. 518, entitled: An Act to amend and reenact Section 3105, of the Kentucky Statutes, 1915 Edition, relating to public improvements in cities of the second class.

House Bill No. 454, entitled: An Act relating to unlawful carnal knowledge of an idiot, lunatic, imbecile, feebleminded person or person of any other unsoundness of mind, and prescribing and fixing penalties for violation thereof.

House Bill No. 530, entitled: An Act to provide for the construction and maintenance, in cities of the first class, of memorials in honor of the soldiers and sailors furnished by such cities and counties wherein situated, to the United States army and navy during the recent world war; providing for the voting of a bond issue in such cities, and for the acceptance of gifts and donations, for such purposes; and for related purposes, including the creation of a Memorial Commission in such cities.

House Bill No. 533, entitled: An Act relating to revenue and taxation; fixing the annual tax rate on unmanufactured agricultural products, subject to taxation, other than unmanufactured agricultural products actually on hand at the plants of manufacturing concerns for the purpose of manufacture; fixing the date of assessment; prescribing by whom the tax shall be paid; exempting unmanufactured agricultural products from local and ad valorem taxation; providing for the distribution of the fund derived from such taxation; providing for the assessment, equalization and collection of the tax.

Said bills were severally read the second time by their titles and ordered to be placed in the Orders of the Day.

Mr. Vose moved that the House shall adjourn immediately upon the completion of the report of the Committee on Enrollments.

Said motion was agreed to.

By unanimous consent the following bills were introduced, ordered to be printed and referred to the Committee on Rules.

By Mr. J. H. Thompson:

House Bill No. 545, entitled: An Act to amend and reenact Sub-sections 1 and 8, of Section 33-a, Kentucky Statutes, Carroll's 1915 Edition, relating to labor inspectors, and their compensation, and appropriating money for the benefit of said inspectors.

By Mr. Foster:

House Bill No. 546, entitled: An Act to amend and reenact Sections 2740 and 2741 of Article 1, Chapter LXXXIX, Kentucky Statutes, Carroll's Revised 1918 Edition, relating to the classification of cities and towns.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

House Bill No. 236, entitled: An Act for the benefit of the Kentucky State Fair and authorizing the State Board of Agriculture to bond the property owned by it for the purpose of securing funds with which to place a permanent Agricultural, Merchants' and Manufacturers' Building upon said Kentucky State Fair Grounds.

House Bill No. 16, entitled: An Act to amend Section 965, Kentucky Statutes, relating to circuit courts in the nineteenth judicial district.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Then the House, pursuant to the motion of Mr. Vose, at 5:20 P. M., adjourned.

TUESDAY, MARCH 9, 1920.

The House was called to order at 10 A. M. by the Speaker.

The House was opened with prayer by Rev. J. C. Pelgrim, of the First Presbyterian Church, Frankfort, Kentucky.

The roll-call to ascertain the presence of a quorum resulted as follows, viz.:

Lon Adams	Robt. Humphreys	Chas. R. Scott
Sidney Alfrey	J. W. Johnson	W. P. Scott

L. H. Ballard
W. T. Beckham
S. M. Bennett
W. M. Boling
Jo F. Bosworth
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
Charles M. Ciarlo
A. S. Cooper
J. S. Cruse
P. A. Day
H. N. Dean
J. B. Denues
H. C. Duffy
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. F. Hanberry
Dr. W. L. Haynes
Talbert Holliday
A. R. Hudson
Adam W. Huff
Henry Kaufman
Griffin Kelly
Frank Kennard
W. L. Kimbrough
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
Claude D. Minor
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
T. C. Pryse
S. C. Ray
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
H. A. Spillman
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John W. Swope
John B. Thomas
J. Mack Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
Geo. C. Waggoner
A. M. Wash
J. S. Webb
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
W. N. Winn
Dr. W. S. Yazell

Present.....86

On motion of Mr. Roth, the reading of the Journal of yesterday's proceeding was dispensed with and the Journal approved.

Mr. Waggoner, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 528. An Act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade,

and to define same and to prescribe penalties and provide methods for the infliction thereof.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. A trust or monopoly as used in this Act, unless a contrary intention appears, is an association or combination of any number of persons established or organized prior, or subsequent, to the passage of this Act, and either in the State of Kentucky or elsewhere, and whether incorporated or unincorporated, having as its object, or as one of its objects, that of fixing, influencing or regulating the supply, demand or price of any goods, product or commodity in the State of Kentucky, or elsewhere; or that of creating, or maintaining, a monopoly in Kentucky; or elsewhere, whether complete or partial, in the supply or demand of any goods, product or commodity.

§ 2. The word "person," or "persons," as used in this Act, shall include natural persons, partnerships, associations of persons and corporations, created or organized, by or under, the laws of this State, or under the laws of any other State or country.

§ 3. Any person who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederation or understanding with any person or persons, in restraint of trade or competition in the importation, transportation, manufacture, purchase or sale of any goods, product or commodity in this State, shall be deemed guilty of a conspiracy in restraint of trade.

§ 4. Any person who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederation or understanding with any other person or persons to regulate, control or fix the price of any article of manufacture, mechanism, or part thereof, merchandise or commodity, or to maintain such price when so regulated or fixed, or shall enter into, become a member of, or

participate in, any pool, trust, agreement, contract, combination, confederation or understanding to fix or limit the amount of any article of manufacture, mechanism, or part thereof, merchandise, commodity, shall be deemed guilty of a conspiracy in restraint of trade.

§ 5. Any two or more persons engaged in buying or selling any article of commerce, manufacture, mechanism, or part thereof or other commodity, or who shall create, enter into, become a member of, or participate in, any pool, trust, agreement, combination, confederacy, association or understanding to control or limit the trade in any such article or thing, or to limit competition in such trade by refusing to buy from, or sell to, any other person any such article or thing aforesaid, for the reason that such other person is not a member of, or a party to, such pool, trust, combination, confederacy, association, or understanding, or who shall boycott, or threaten, any person, for buying or selling any such article or thing to any other person who is not a member of, or a party to, such pool, trust, agreement, combination, confederacy, association or understanding, shall be deemed guilty of a conspiracy in restraint of trade.

§ 6. All arrangements, understandings, agreements, contracts, combinations or promises made, or entered into, between any two or more persons, designed, or made with a view to lessen, or which tend to lessen, lawful trade, or full and free competition in the importation, transportation, manufacture or sale in this State of any goods, product, commodity or article; and all arrangements, contracts, agreements, combinations, promises, or understandings made, or entered into, between any two or more persons, which are designated, or made, with a view to increase, or which tend to increase, the market price of any product, commodity, goods, or article, are hereby declared to be against public policy, unlawful and void, and any person or persons creating, entering into, becoming a member of, or party to, any such arrangements, contracts, promises, agreements, combinations or understandings, shall be deemed guilty of a conspiracy in restraint of trade.

§ 7. Any corporation created or organized by or under the laws of this State which shall be guilty of any violation of

the provisions of this Act shall, upon proper proof being made thereof, in any court of competent jurisdiction in this State, be declared by the court to have forfeited its corporate rights and franchises, and the same shall be, by the court, declared forfeited, void and of no effect, and its right to transact business in this State shall thereupon cease and determine. Provided, however, that the courts may, in lieu of the forfeiture of its corporate rights and franchises, assess against it a fine in any sum not to exceed twenty-five thousand dollars, and, should a corporation continue to violate the law after having been adjudged guilty, such continuance shall constitute a separate offense; and any corporation created or organized by or under the laws of any other State or country which shall violate any of the provisions of this article shall, upon proper proof being made thereof in any court of competent jurisdiction of this State, be declared by the court to have forfeited its right and privilege thereafter to do any business in this State, and the same shall by the court be declared forfeited and of no effect, and it shall thereupon cease to do business in this State. Provided, however, that the court, may, in lieu of the forfeiture of the right and privilege of such corporation to do business in this State, assess against it a fine in any sum not to exceed twenty-five thousand dollars, and, should such corporation continue to violate the law after having been convicted, such continuance shall be deemed a separate offense; and in all proceedings for the violation of any of the provisions of this article against any corporation created by or organized under the laws of this or any other State or country, proof of the acts of any person who has been acting as agent of such corporation in transacting its business in this State in the name, behalf or interest of such corporation, shall be received as prima facie proof of the acts of the corporation itself. It shall be the duty of the clerk of the court in which judgment of forfeiture shall be rendered, as herein provided for, to certify the decree thereof to the Secretary of State and to the Insurance Commissioner, who shall take notice and be governed thereby as to the corporate powers and rights of said corporation.

§ 8. Any person injured in his business, or property, by any other person or persons by reason of any acts forbidden, or declared to be unlawful by the provisions of this Act, may institute suit therefor in any circuit court in this State in which the defendant or defendants, or any of them, reside, or have any officer, agent or representative, or in which any such defendant or any agent, officer or representative may be found, without regard to the amount in controversy, and may recover threefold the damages by him sustained.

§ 9. It shall be unlawful for any corporation to issue, or to own, trust certificates, or for any corporation agent, officer, or employee, or the directors or stockholders of any corporation, to enter into any combination, contract or agreement with any person or persons, corporation or corporations, or with any stockholder or director thereof, for the purpose of placing the management or control of such corporation, or of any article manufactured, produced or dealt in by such corporation, in the hands of any trustee of trustees, with the intention to limit, or fix the price, or lessen the production or sale of any article of commerce, use or consumption or to prevent, restrict or diminish the manufacture or output of any such article or product, and no corporation nor officer or stockholder of any corporation, shall own or vote any stock of any other corporation engaged in the manufacture, purchase or sale of any article of commerce coming in competition with any article of commerce manufactured, bought or sold by such other corporation.

§ 10. When the corporate rights or privileges of any corporation organized under the laws of this State, shall have been declared forfeited by the judgment of a court as herein provided, and when the rights and privileges of any corporation organized under the laws of any other State or country to do business in this State, have been declared forfeited by the judgment of a court as herein provided, it shall thereafter be unlawful for any person, corporation or association of persons to deal in, or offer for sale in this State, any article of manufacture, mechanism or part thereof, or merchandise, commodity, made, produced, manufactured or dealt in, by any corporation whose rights, franchises or privileges have been

so forfeited; and the foregoing provisions of this section are hereby made applicable in all respects to the successors, or assigns, of any corporation whose rights, franchises or privileges have been so forfeited.

§ 11. In any suit that is now pending, or which may hereafter be brought, in which it is charged that any person, corporation, partnership or association of persons has created, entered into, become a member of, or participated in, any pool, trust, agreement, combination, confederation, promise or understanding in restraint of trade or competition, with any other person, corporation, partnership or association of persons, it shall not be necessary to allege or plead the manner in which, or when, or where, such pool, trust, agreement, combination, confederation or understanding was made or effected.

§ 12. All courts of competent jurisdiction shall have the right and are hereby authorized and empowered to compel the production of all books, correspondence, or other papers, showing or tending to show any violation of this Act, or containing evidence material to the matter under investigation, and such courts are hereby empowered to punish for contempt any officer, agent, employee, custodian or person in the possession of such books, correspondence or papers; but no person shall be subject to prosecution, or to any action for a penalty, or forfeiture on account of any transaction, matter or thing concerning which he may testify or produce books or papers.

§ 13. Any person, firm, company, association or corporation, foreign or domestic, doing business in the State of Kentucky, and engaged in the production, manufacture or distribution of any commodity in general use, that shall, intentionally, for the purpose of destroying the business of a competitor in any locality, discriminate between different sections, communities or cities of this State, by selling such commodity at a lower rate in one section, community or city than is charged for said commodity by said party in another section, community or city, after making due allowance for the difference, if any, in the grade or quality, and in the actual cost of transportation from the point of production, if a raw

product, or from the point of manufacture, of a manufactured product, shall be deemed guilty of unfair discrimination, which is hereby prohibited and declared unlawful.

§ 14. If complaint shall be made to the Attorney General of the State that any corporation, company or association authorized to do business in this State, is guilty of unfair discrimination as defined in the preceding section, it shall be the duty of the Attorney General, if the facts justify in his judgment, to institute proceedings against such corporation to have its right or privilege to do business in this State forfeited.

§ 15. Any person violating any of the provisions in this Act, or who shall do any act prohibited or declared unlawful herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not to exceed ten thousand dollars, except where a different penalty is provided in this Act, or the penalty herein prescribed may be recovered by penal action instituted in the name of the Commonwealth of Kentucky in any court having jurisdiction under the provisions of this Act.

§ 16. Any prosecution, or penal action provided for in this Act, or under the laws of this State for offenses mentioned in this Act, may be instituted in the Franklin Circuit Court, and jurisdiction to try all such prosecutions, or actions, is hereby vested in the Franklin Circuit Court, and it is hereby made the duty of the Attorney General to institute such prosecutions, or penal actions, in said court and prosecute same for the Commonwealth of Kentucky, but the jurisdiction thus placed in the Franklin Circuit Court shall not be exclusive, and any such prosecution, or action, may be instituted in any circuit court in this State where the offense or violation of this Act may have been committed, and if such prosecution is instituted in any circuit court other than the Franklin Circuit Court it shall be the duty of the Commonwealth's attorney to prosecute such offenses in the same manner that he is now required to prosecute other offenses for the violation of the laws of this State.

§ 17. The several circuit courts of this State are hereby invested with the jurisdiction to prevent and restrain any

person or persons, corporation, partnership or association of individuals, from entering into any combination, pool, agreement, in the form of trusts, confederation, conspiracy, promise or understanding, declared illegal by this Act, or any other law in this State relative to the pools, trusts, conspiracies and unlawful combinations, and it shall be the duty of the Attorney General, and of the Commonwealth's attorney to institute proceedings in equity to prevent and restrain all violations of this Act, and of any other law concerning pools, trusts, conspiracies and unlawful combinations, and the Franklin Circuit Court is hereby invested with the jurisdiction to hear and determine any injunction proceedings that may be instituted pursuant to the provisions of this section, and such injunction proceeding shall be governed by the provisions of the Civil Code of Practice, and the court may, at any time, make such temporary restraining order as may be deemed just in the premises. Provided, however, that in all injunction proceedings instituted under this Act by the Attorney General, or by the Commonwealth's attorney, no bond shall be required to be executed by the Commonwealth.

§ 18. It is hereby made the duty of the Attorney General to investigate violations of this Act, and to bring to the attention of the Commonwealth's attorneys throughout the State any violation of this Act, and it is further made the duty of the Attorney General, when he deems it of sufficient importance to institute suit in behalf of the Commonwealth in the Franklin Circuit Court, or to institute prosecutions to prevent the violation of the provisions of this Act.

§ 19. The passage of this Act shall not have the effect to release or extinguish any penalty, forfeiture or liability incurred by any corporation on account of the violation of any law of this State prior to the taking effect of this Act.

§ 20. If any section of this Act shall be held to be unconstitutional, that fact shall not affect any other section of the Act, it being the intention of the General Assembly in enacting this law to enact each section separately, and if any provision or exception contained in any section shall be declared unconstitutional, that fact shall not affect the remaining portion of said section, it being the intention of the legis-

lature to enact each section and each provision and exception thereto separately.

§ 21. Any officer, stockholder or other person interested in any corporation, association or company mentioned in this Act who shall aid or assist in the violation of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not to exceed ten thousand dollars or imprisoned not exceeding one year, or both so fined and imprisoned.

§ 22. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Mr. Welch moved that the House resolve itself into the Committee of the Whole House for the purpose of hearing Attorney General Dawson speak in regard to this bill.

Said motion was agreed to.

Then the House resolved itself into a Committee of the Whole House with Mr. Strange in the chair.

Attorney General Dawson briefly addressed the Committee and explained the bill.

Mr. Bryson moved that the Committee of the Whole do now rise and report progress.

Said motion was agreed to.

The chairman of the Committee of the Whole reported that the committee had had under consideration House Bill No. 528 and had heard Attorney General Dawson's address in regard to same but had come to no decision thereon.

Then the committee dissolved.

The Speaker resumed the chair.

Mr. Kelly moved that the bill do lie on the table.

Said motion was agreed to.

Ordered, that said bill do lie on the table.

Mr. Kelly moved that the vote by which the motion to lie on the table was adopted be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Mr. Waggoner, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 432. An Act amending Article 12, Subsection 6 of Section 1550 of Carroll's Kentucky Statutes, 1915 Edition, re-enacting same and providing therein that no applicant or candidate for any public office within the State of Kentucky who shall have been defeated for a nomination, shall thereafter be a candidate for the same office in the general election of the same year in which said candidate aspired or attempted to be nominated under the aforesaid Subsection 6, Section 1550 of said statutes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sub-section 6 of Section 1550, Article 12 of the Kentucky Statutes, Carroll's 1915 Edition, be and the same is hereby amended by reenacting the whole of said statute as it now exists and adding thereto the following provision:

"Be it further enacted that no applicant or candidate for any public office in the State of Kentucky who shall have filed his application or declaration under said section and who shall have been defeated for the nomination for any office thereunder, shall be eligible or permitted to run for the same office for which he was a candidate under said section at any general election in this state to be held during the same

year in which his said application and declaration was so filed and in which he was a candidate in any primary election under said act."

Mr. Holliday offered the following amendment, to-wit:

Amend by striking out all of the act immediately following the word "amended," in the second line thereof, and substituting in lieu thereof the following words, "and re-enacted, so that said Sub-section 6 of Section 1650, when so amended and re-enacted, shall read as follows:"

(6) Nomination Papers—Who May File—How Filed—Form of. Any qualified elector who is a member of a party within the meaning of this Act, and who has affiliated with and supported the nominees of the party at whose hands he seeks the nomination as defined elsewhere in this Act, shall have his name printed on the official ballot of his party for any office to which he is eligible in any primary held under the provisions of this Act, upon filing with the proper officer at the proper time, a notification and declaration, which notification and declaration shall be in the following form, and shall be filled in as to all the requirements therein contained, and the declaration therein shall be subscribed and sworn to by the person making same before any officer qualified to administer an oath.

Said notification and declaration shall be in the following form:

NOTIFICATION AND DECLARATION.

Of ..... for the nomination to the office of ..... to .....
(County Court Clerk or Secretary of State, as case may be.)
Commonwealth of Kentucky ..... county.
For the purpose of having my name placed on the official primary election ballot as a candidate for nomination by the ..... (name of party) party, I .....
..... (name in full as desired on the ballot) do

solemnly swear (or affirm), that I reside at No. ..... street, in the city of.....State of Kentucky, and that I am a registered ..... (party) voter in ..... precinct, city of ....., that I believe in the principles of said ..... (name of party) party, and intend to support its principles and policies, and vote for its nominees at the coming general election, and that I have affiliated with such party and that I supported its nominees at the last general election, or was prevented from doing so by reason of ..... (state reason here); that if nominated as a candidate of said..... at the said ensuing election, I will accept such nomination and not withdraw; that I will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this State, and if finally elected, I will qualify for said office.

.....
(Signature of Candidate)

Subscribed and sworn to before me by.....this .....day of ....., 19.....

.....
(Signature of Officer)

.....
(Title of Officer)

The said candidate shall at the time of filing his notification and declaration file therewith an affidavit of two reputable electors, members of the same party to which the applicant belongs, which affidavit shall be in the following form, and filled out so as to meet all the requirements indicated therein:

Commonwealth of Kentucky, ...county.

We, ... and ..... do solemnly swear (or affirm), that we are qualified electors and members of the ..... (name of party), and have affiliated with said party, and supported its nominees at the last general election; that we are residents and legal voters of the city of ....., county of ....., State of Kentucky; that we are personally acquainted with ..... who files the hereto attached notifica-

tion and declaration, and we know him to be a discreet citizen, and a member of the ..... party, and that to the best of our knowledge and belief, he has affiliated with and supported said party as defined in the primary election law; that he is a resident of the city, county and State set out in his notification and declaration, and we believe him to be qualified to fill the office of .....

.....

.....

(Signature of Affiants.

Subscribed and sworn to before me by ..... and ....., this .....day of....., 19.....

.....

(Signature of Officer)

.....

(Title of Officer)

Said application and declaration, and the accompanying affidavits may be on the same or separate sheets, but shall be filed together and at the same time, and when so filed with the proper officer, it shall be the duty of said officer, upon the candidate's compliance with the requirements of this Act as to payment of fees as elsewhere provided, to have printed the applicant's name on the ballot, according to the primary election law, under the penalties provided therein. (Section as amended by Act 1914—399.)

No applicant or candidate for any public office in the State of Kentucky who shall have filed his application or declaration under said section and who shall have been defeated for the nomination for any office thereunder, shall be eligible or permitted to run for the same office for which he was a candidate under said section at any general election in this State to be held during the same year in which his said application and declaration was so filed and in which he was a candidate in any primary election under said act.

Said amendment was agreed to.

Mr. Humphreys offered the following amendment, viz.:

Amend House Bill 432 by adding after the word "candidate," in line 9, of bill as printed the words "or any other office."

Said amendment was adopted.

Mr. Dean offered the following amendment, viz.:

Amend House Bill 432. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Waggoner moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Joseph Lazarus	S. G. Smith
Sidney Alfrey	Elmer Lusby	H. A. Spillman
H. H. Barnes	R. C. Marcum	R. Lee Stewart
W. T. Beckham	A. J. McCandless	Wm. A. Stewart
S. M. Bennett	R. L. McFarron	John T. E. Stites
A. S. Cooper	H. C. McLellen	Frank L. Strange

B. L. Cox	Harry J. Meyers	John W. Swope
P. A. Day	Claude D. Minor	John B. Thomas
H. N. Dean	Mack J. Morgan	J. Mack Thompson
J. B. Denues	John T. Murphy	Dr. D. J. Travis
Dr. T. H. Gamblin	Estill W. Neel	John L. Trumbo
Dr. W. L. Gossett	S. C. Ray	Daniel Vose
A. L. Hamilton	B. F. Reynolds	Geo. C. Waggoner
A. F. Hanberry	Sherman Robbins	A. M. Wash
E. C. Hardin	Lee Rogers	J. S. Webb
Dr. W. L. Haynes	B. A. Roth	Dr. T. R. Welch
Talbert Holliday	Dr. Lewis Ryans	Gladstone Wesley
D. J. Howard	Chas. R. Scott	W. G. Wheeler
Adam W. Huff	W. P. Scott	R. E. Wilborn
Robt. Humphreys	E. E. Shannon	W. N. Winn
J. W. Johnson	Dr. B. F. Shields	Dr. W. S. Yazell
Henry Kaufman	H. G. Skiles	—65

Those who voted in the negative were:

W. M. Boling	H. C. Duffy	J. M. Knott
Rodney G. Bryson	J. M. Foster	Dr. S. D. Laughlin
Roy J. Cain	A. R. Hudson	Hebron Lawrence
J. F. Carr	Griffin Kelly	Chas. A. Nelson
Charles M. Ciarlo	Frank Kennard	J. Wood Vance
J. S. Cruse	W. L. Kimbrough	Fred C. VanHoose
		—18

Resolved that the title thereof be as aforesaid.

Mr. Waggoner moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson moved that today's session be indefinitely extended.

Said motion was agreed to.

Mr. Bryson moved that the House recess at 12:15 P. M. today, until 1:30 P. M.

Said motion was agreed to.

Mr. Waggoner moved that the House hold sessions tonight and tomorrow night for the consideration of bills in the Orders of the Day.

Said motion was agreed to.

House Bill No. 323 was sent to the Senate as amended.

A message was received from the Senate announcing that it had passed the following resolution, viz.:

Joint Resolution for the benefit of the Chief Clerks and Assistant Clerks of the Senate and the House of Representatives.

Said resolution reads as follows, viz.:

Whereas, the Clerks of the Senate and the House of Representatives, are required to work many hours, day and night, in order that all bills, resolutions, journals, and other office work may be promptly and efficiently kept up and ready for the respective Houses to act upon, and,

Whereas, the work is hard and exacting, and the per diem allowed is not in proportion, for the services they are required to render, and,

Whereas, it has been the custom of former General Assemblies, to make such Clerks an appropriation, to further compensate them for the work, that they are required to do,

Therefore be it resolved by the Senate, the House of Representatives concurring herein, that the Chief Clerk and the Assistant Clerk of the Senate, and the Chief Clerk and the Assistant Clerk of the House of Representatives, each be allowed the sum of $250.00 to be paid out of the State Treas-

ury, and the Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasurer in favor of said Chief Clerks, and Assistant Clerks of the Senate and House of Representatives, for the amount named in this resolution.

Mr. Waggoner moved that the rules be suspended and that said resolution be taken up for immediate consideration.

Said motion was agreed to.

Mr. Hamilton offered the following amendment, viz.:

Amendment to Joint Resolution to include Sergeant-at-arms and Doorkeepers of both the Senate and House.

Said amendment was adopted.

Mr. Meyers offered the following amendment, viz.:

Amend Joint Resolution by adding "and $250 for the Sergeant-at-arms, Doorkeepers, and Enrolling Clerks of the House and Senate."

Said amendment was adopted.

Ordered, that said resolution be engrossed and put upon its passage.

The yeas and nays being taken on the adoption of said resolution as amended resulted as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	A. R. Hudson	Chas. R. Scott
Sidney Alfrey	Adam W. Huff	H. G. Skiles
H. H. Barnes	Robt. Humphreys	H. A. Spillman
W. T. Beckham	J. W. Johnson	R. Lee Stewart
S. M. Bennett	Henry Kaufman	John T. E. Stites
W. M. Boling	Frank Kennard	Frank L. Strange

Rodney G. Bryson	Hebron Lawrence	T. R. Stultz
Roy J. Cain	Elmer Lusby	John B. Thomas
W. T. Carner	R. C. Marcum	J. Mack Thompson
J. F. Carr	I. S. Mason	J. H. Thompson
Charles M. Ciarlo	A. J. McCandless	Dr. D. J. Travis
A. S. Cooper	R. L. McFarron	C. B. Truesdell
B. L. Cox	H. C. McLellen	John L. Trumbo
J. S. Cruse	Harry J. Meyers	J. Wood Vance
P. A. Day	Claude D. Minor	Daniel Vose
H. N. Dean	Mack J. Morgan	Geo. C. Waggoner
J. B. Denues	Estill W. Neel	A. M. Wash
J. M. Foster	Chas. A. Nelson	J. S. Webb
Dr. T. H. Gamblin	T. C. Pryse	Dr. T. R. Welch
J. W. Geveden	S. C. Ray	Gladstone Wesley
Dr. W. L. Gossett	J. L. Richardson	W. G. Wheeler
A. L. Hamilton	Sherman Robbins	R. E. Wilborn
A. F. Hanberry	B. A. Roth	W. N. Winn
Dr. W. L. Haynes	Dr. Lewis Ryans	Dr. W. S. Yazell

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Those who voted in the negative were:

H. C. Duffy W. L. Kimbrough —2

So the resolution as amended was passed.

Resolved, That the title thereof be as aforesaid.

Also that the Senate had passed House Bill No. 374 with sundry amendments thereto.

Mr. Waggoner, of the Committee on Rules, moved that the House take up for immediate consideration the Senate amendments to House Bill No. 374.

Said motion was agreed to.

Then said Senate amendments to House Bill No. 374 were adopted.

Said amendments read as follows, viz.:

1. Amend subsection 3 of section 2 by striking out the word "his" in line 19, page 2 of the printed bill, and by substituting therefor the word "Their."

2. Amend subsection 3 of section 2 by adding the words "or who is over 50 years of age" after the word "affiliations" in line 30 page 2 of the printed copy of said bill.

3. Amend subsection 3 of section 2 by adding after the word "department" in line 36, page 3 of the printed bill, the following language, "No appointment to or continuance in any such position shall be as a reward for political activity, nor be obtained by political services or contribution to campaign funds, nor shall any member of said departments pay or collect any assessments made by political organizations, or contribute to political campaign funds or be unduly active in politics, or work for the election of candidates for office."

4. Amend subsection 3 of section 2 by adding before the word "but" in line 38, page 3, the following language; "Who have been continuously in said services for a period of five years."

5. Amend subsection 3 of section 2 by striking out lines 38 to 42 inclusive of page 30 of the printed bill, the language beginning "but all members of the police force" and ending with the words "during good behavior" and by substituting therefor the following "Members of the police and fire departments otherwise qualified under this law shall hold their positions during good behavior, provided however that the provisions of this act shall not prevent the board from decreasing the number of firemen and policemen as the said board may from time to time deem proper."

6. Amend subsection 4 of section 2 by adding after the words "or violation of law" in line 46, the words "of the."

7. Amend subsection 4 of section 2 by inserting after the words "it shall" in line 52 page 3 of the printed bill, the word "also."

8. Amend subsection 4 of section 2 by inserting in line 60, page 3 of the printed bill, after the words "shall be confined to" the words "matters related to the;" and by strik-

ing out the word "these" following the words "shall be confined to" so that the sentence thus amended, shall read "and the trial shall be confined to matters related to the issues so presented."

9. Amend subsection 4 of section 2 by substituting for the word "services" in line 68, page 4 of printed bill, the word "service;" and by substituting for the word "summons" in line 70 page 4 of the printed bill the word "summon;" and by substituting for the word "subpoenaed" in line 77, page 4 of the printed bill; and by substituting for the word "witness" in line 77 page 4, the word "witnesses;" and by striking out in lines 78 and 79, page 4, the words "and shall be reduced in writing as a judgment," and by substituting therefor the words "and the action and decision of the Board on said charge shall be reduced to writing;" and by striking out in lines 80 and 81, page 4 of the printed bill the words "also be recorded in full in said book immediately preceding the record of finding of said board" and by substituting therefor the words "be preserved and securely attached to the book containing the Board's decision;" and by striking out the words "may be" in line 83, page 4 of the printed bill, and substituting therefor the words "has been;" and by inserting the word "the" before the word "punishment" in line 88, page 4; and by striking out the word "at" following the word "statute" in line 90, and substituting the word "by;" and by striking out of lines 90 and 91 the following language "or at a fine not exceeding one hundred dollars," and by striking out the word "at" following the word "suspension" in line 91 and substituting therefor the word "for;" and by inserting the word "by" before the word "removal" in line 93, page 5, of the printed bill; and by striking out the word "either" in line 94, page 5 and inserting in the place thereof the words "any such;" and by striking out the word "fined" in line 96, page 5.

10. Amend subsection 5, section 2, by striking out of line 104, page 5 of the printed bill the words "fine of twenty dollars or more, or is" and inserting the words "a" in line 105 before the word "reducing." Amend subsection 5, section 2, by striking out the figures "10" in line 105, page 5,

of the printed bill, and inserting in the place thereof the figures "30." Amend subsection 5, section 2 by striking out the word "and" in line 106, page 5 of the printed bill and substituting therefor the word "but." Amend subsection 5, section 2, by adding the word "not" after the word "shall" in line 107, page 5 of the printed bill. Amend subsection 5, section 2, by striking out so much of the same as begins with the word "provided" in line 108 and ends with the word "appeal" in line 111 both inclusive. Amend subsection 5, section 2. by striking out in line 115 and 116, page 5 the following language "but upon demand of the accused, or by the city, said cause shall be tried before a jury." Amend subsection 5, section 2 by adding after the word "contempt," page 6, line 129, the following "such appeal shall have precedence of other business and be taken up and determined speedily."

11. Amend section 3 of said bill by striking out in lines 6 and 7 the words "the funds coming into his hands" and by inserting in the place thereof the words "custodian of its funds."

12. Amend section 4 by inserting in line 5, page 6, the word "a" before the word "fund;" and by striking out of said section the following language beginning in line 15, page 6. and ending in line 23, page 7. to-wit; "all moneys withheld from the officers. members or employees of the police and fire department as punishment for any breach of discipline. misconduct or violation of the rules and regulations for said department shall be paid into said fund each month and credited upon the pay roll of the department. payable to said fund for that purpose; and all fines imposed by the Board of Public Safety upon officers, members or employes of the police or fire department, by way of discipline and collectible from pay or salary. and." Amend section 4 by striking therefrom in line 25, page 7. the following words "except by such members."

13. Amend section 7. by, inserting after the words "State of Kentucky" at the beginning of line 5, the words "for any county" and before the word "second" in said line by inserting the word "first;" and by inserting after the word "second" the words "or third," and by adding after the

word "Kentucky" near the beginning of line 6, page 8, the following "or in any securities in which trustees or guardians are permitted to invest trust and guardianship funds under the laws of this State" so that said section 7, when amended, shall read as follows; "The said Board of Trustees shall have the power to draw such pension fund from the treasury and may invest the same, or any part thereof, in the name of the board of trustees of the police and firemen's pension fund, in interest-bearing bonds of the United States, of the State of Kentucky, or any county, or any city of the first, second or third class in the State of Kentucky, or in any securities in which trustees or guardians are permitted to invest trust and guardianship funds under the laws of this State, and all such securities shall be deposited with the treasurer of said city as ex-officio treasurer of said board and shall be subject to the order of said board."

Ordered, that said bill be engrossed and read the third time.

Mr. Waggoner moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The years and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	D. J. Howard	Sherman Robbins
Sidney Alfrey	A. R. Hudson	Lee Rogers
L. H. Ballard	Adam W. Huff	B. A. Roth

H. H. Barnes
W. T. Beckham
S. M. Bennett
W. M. Boling
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
A. S. Cooper
B. L. Cox
J. S. Cruse
P. A. Day
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
J. W. Geveden
A. L. Hamilton
A. F. Hanberry
E. C. Hardin
Dr. W. L. Haynes
Talbert Holliday
J. W. Johnson
Henry Kaufman
Griffin Kelly
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McClellan
Harry J. Meyers
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
B. F. Reynolds
J. L. Richardson
Dr. Lewis Ryans
Chas. R. Scott
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
H. A. Spillman
John T. E. Stites
Frank L. Strange
John W. Swope
John B. Thomas
J. Mack Thompson
Dr. D. J. Travis
John L. Trumbo
J. Wood Vance
Daniel Vose
Geo. C. Waggoner
Dr. T. R. Welch
Gladstone Wesley
W. N. Winn
—70

Those who voted in the negative were:

H. C. Duffy —1

Resolved, That the title thereof be as aforesaid.

Mr. Waggoner moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed the following bills, to-wit:

Senate Bill No. 242, entitled: An Act prescribing the qualifications of deputy sheriffs, deputy constables and patrolmen.

Senate Bill No. 243, entitled: An Act for the protection of game birds and game animals; fixing open and closed seasons for the same; fixing the bag limit for birds and animals killed in open season; prohibiting the snaring of rabbits at any time, and providing penalty for the violation of this Act.

Senate Bill No. 245, entitled: An Act to amend an Act entitled "An Act to prevent idleness in the Commonwealth of Kentucky during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of the State."

Senate Bill No. 358, entitled: An Act authorizing the Governor to appoint a commissioner to go to England and accept and receive from the British Government the battle flag of the Kentucky troops captured by the British forces in the battle of the River Raisin, and to bring and deliver same to the Governor of this Commonwealth, and making appropriation therefor.

Senate Bill No. 70, entitled: An Act to amend and reenact Section 2810, Carroll's Kentucky Statutes, Edition of 1915, being Section 48 of an Act entitled "An Act for the government of cities of the first class," approved July 1, 1893, as amended by an Act approved February 4, 1894, and by an Act approved March 15, 1912.

Senate Bill No. 112, entitled: An Act to furnish to all the counties in Kentucky the various Acts of the Kentucky Legislature, and Journal of the House and Senate of said Legislature, and Kentucky Reports where same have been destroyed by fire at a time when the courthouse of said county was destroyed by fire.

Senate Bill No. 345, entitled: An Act to amend and reenact Sub-section 1 of Section 1020; Sub-section 4 of Section 1020; Sub-section 6 of Section 1020, and Sub-section 7 of Section 1020, of the Kentucky Statutes (Carroll's 1915 Edition), and to establish a domestic relations division of the Chancery

branch of circuit courts having seven judges, this division to have jurisdiction of all actions or special proceedings involving divorce, alimony, or both; and of all cases and matters coming within the terms and provisions of an Act entitled: "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all acts amending these said Acts.

Senate Bill No. 312, entitled: An Act to give credit to defendants on terms of imprisonment in the county jail or penitentiary who have been convicted in the circuit court and where confined in the county jail after an examining trial and unable to give bail.

Senate Bill No. 159, entitled: An Act amending Subsection 4 of Section 125 of the Kentucky Statutes, Carroll's Edition, 1915, by increasing the salaries of the district detectives.

Senate Bill No. 47, entitled: An Act to amend and reenact Section 1069 of the Kentucky Statutes prohibiting the County Judge from practicing law in certain cases, and providing certain duties of the County Judge and County Clerk.

Ordered, that said bills be printed for the House and referred to the Committee on Rules.

A message was received from the Senate announcing that it had passed House Bills Nos. 287, 228, 45, 178, and 91.

Ordered, that said House Bills be delivered to the Enrolling Clerk and be enrolled.

Mr. Waggoner of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Substitute House Bill No. 181. An Act to prohibit and provide penalties for the manufacture, sale, transportation, or other disposition of spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky and to regulate the manufacture, sale and transportation of alcohol for non-beverage purposes thereunder, and report the same with the expression of opinion that the following substitute should pass therefor:

An Act to prohibit and provide penalties for the manufacture, sale, transportation or other disposition of spirituous, vinous, malt or intoxicating liquors except for sacramental, medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky, and to regulate the manufacture, sale and transportation of alcohol for non-beverage purposes thereunder.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful to manufacture, sell, barter, give away, or keep for sale, or transport, spirituous, vinous, malt or intoxicating liquors, except for sacramental,

medicinal, scientific or mechanical purposes in the Commonwealth of Kentucky.

§ 2. On the first conviction for a violation of any provision of this act, except for the violation of a provision for which a particular penalty is herein provided, the defendant or defendants shall be fined not less than $50.00 nor more than $300.00, and if persons, shall, in addition, be imprisoned in the County Jail for not less than thirty, nor more than sixty days.

Upon a second conviction for a violation of any provisions of this act, the defendant or defendants, if persons, shall be confined in the penitentiary for not less than one year, nor more than three years, and for the third and each subsequent conviction, the person or persons shall be imprisoned in the penitentiary not less than five, nor more than ten years. If the defendant be a corporation, for the second offense, a fine shall be inflicted of not less than $1,000.00 or more than $5,000.00 and for the third and each succeeding offense, a fine shall be inflicted in the discretion of the jury, but not less than $5,000.00. These punishments shall apply to all second, third and subsequent violations of the provisions of this Act except the punishments for contempt of the Court's injunction, as hereinafter provided.

§ 3. Every person knowingly aiding, assisting or abetting any person, firm or corporation in the violation of any of the provisions of this Act, shall be deemed a principal and punished as such.

§ 4. In the trial of any issue arising under this Act, the burden of proof shall be upon the defendant to show that the manufacture, sale or transportation of the liquor in question was within the exception provided in the first section of this Act.

§ 5. No witness in a trial for a violation of this Act shall be permitted to refuse to answer any question because the answer will incriminate himself. but his evidence shall not be used against him in any subsequent proceeding, and such witness shall not be prosecuted for any offense disclosed in such testimony.

§ 6. All spirituous, vinous, malt or other intoxicating liquors, whether medicated, proprietary, patented or not un-

less excepted under this Act, and which contain one-half of one per centum or more of alcohol by volume shall be construed as falling within the inhibition of this Act.

All persons who are convicted under this Act and receive a fine or jail sentence as punishment shall serve out the judgment at hard labor at the rate of One Dollar per day of the fine or jail sentence.

§ 8. No trick, device, subterfuge or pretense shall be allowed to evade the operation or defeat the purpose of this law.

§ 9. Every house, building, or other structure, together with the lot of land upon which it is situated, and every car, truck, wagon or other vehicle, together with any or all animals used in propelling or hauling same, and every boat or other water craft knowingly used by the owner to violate any provision of this law, shall be declared a common and public nuisance and shall be enjoined and abated as hereinafter provided, and in addition thereto, shall be forfeited to the Commonwealth of Kentucky.

Any person, firm or corporation, knowingly or intentionally renting, hiring or letting or lending any house, building, or other structure or premises, or any boat or other water craft, or any car, truck, wagon or other vehicle, or the animal or animals used in hauling or propelling the same, to another or others, for the purpose of violating any provision of this act, shall be considered guilty of a nuisance and of a violation of this Act, and the property so used shall be forfeited and sold as if the unlawful act had been committed by him or them in person.

§ 10. Whenever a nuisance is kept, committed, maintained or exists as defined in this Act, the Commonwealth's Attorney or County Attorney or any citizen of the county wherein such nuisance exists, may maintain an action in equity in the name of the Commonwealth of Kentucky upon the relation of such attorney or citizen to forfeit such property and to perpetually enjoin the said nuisance, the person or persons committing, conducting or maintaining the same, and the owner or agent of the building, ground, vehicle, animal, boat, or other water craft in connection with which the

nuisance is committed. In such action the court, or a judge in vacation, shall upon the presentation of a petition therefor alleging that the nuisance or commission of such nuisance exists, or has been maintained or committed, grant a temporary injunction, without bond, if the existence or commission of such nuisance be made to appear to the satisfaction of the court or judge, by evidence in the form of affidavit, depositions, oral testimony or otherwise as the complainant may elect. Three days' notice shall be given the defendant of the hearing of the application. When an injunction has been granted, it shall be binding on the defendant throughout the Commonwealth of Kentucky, and any violation of the provisions of the injunction herein provided shall be a contempt as hereinafter provided.

§ 11. In such action evidence of the general reputation of the place shall be admissible for the purpose of proving the existence of said nuisance. If the complaint is filed by a citizen, it shall not be dismissed, except upon a sworn statement made by the complainant and his attorney, setting forth the reasons why the action should be dismissed, and the dismissal approved by the Commonwealth or County Attorney in writing or in open court. If the court is of the opinion that the action ought not be dismissed, it may direct the Commonwealth or County Attorney to prosecute said action to judgment; and if the action is continued more than one term of court, any citizen may be substituted for the complaining party and prosecute said action to judgment. If the action is brought by a citizen, and the court finds there was no reasonable ground or cause for said action, the costs may be taxed to such citizen.

§ 12. That in case of the violation of any injunction granted under the provisions of this act, the court, or, in vacation, a judge thereof, may summarily try and punish the offender. The proceedings shall be commenced by filing with the clerk of the court an affidavit, setting out the alleged facts constituting such violations, upon which the court or judge shall cause an order of arrest to issue, under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may at any stage of the proceed-

ings demand the production and oral examination of the witnesses. A party found guilty of contempt, under the provisions of this act, shall be punished by a fine of not less than $200.00 nor more than $1000.00, or by imprisonment in the county jail not less than three nor more than six months, or by both fine and imprisonment.

§ 13. That if the existence of the nuisance be established in an action as provided in this Act, an order of abatement shall be entered as a part of the judgment in the case, which order shall direct the removal from the building or place of all fixtures, furniture or movable property used in conducting the nuisance, and shall order the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of one year, unless sooner released. If any person shall break, enter or use a building, erection or place so directed to be closed he shall be punished as for contempt, as provided in the preceding section. The Sheriff shall be allowed for sale hereunder the same fees as allowed for sales under execution. For all other services hereunder, the sheriff shall be allowed a reasonable fee by the court, to be taxed as part of the costs in the action; provided that no injunction shall issue against an owner, nor shall an order be entered requiring that any building or apartment or any place be closed or kept closed if it appears that such owner and his agents have in good faith endeavored to prevent such nuisance. Nothing in this Act contained shall authorize any relief respecting any other property than that in which a nuisance exists.

§ 14. That the proceeds of the sale of all property, as provided in the preceding sections, shall be applied first to the payment of the costs of the action and abatement, second, twenty per cent thereof shall be paid to the person instituting the action if a private citizen; third, the balance remaining, if any, shall be paid to the Commonwealth of Kentucky and be credited to the General Expenditure Fund.

§ 15. If the owner, agent, or lessee of any building, erection, place or ground or property of any kind, against

which an injunction has been issued, appears and pays all costs of the proceeding and files a bond, with surety to be approved by the clerk, qualified as required by Section 684 of the Civil Code of Practice, in the full value of the property to be ascertained by the court, or, in vacation, by the judge thereof, conditioned that he will immediately abate said nuisance and prevent the same from being maintained or kept within a period of one year thereafter, the court, or, in vacation, the judge, may if satisfied of his good faith, order the premises which have been closed, or other property involved, under the order of abatement to be released to said owner and said order of abatement cancelled so far as the same may relate to said property, and if said bond be given and costs therein paid before judgment and order of abatement, the action shall be thereby abated as to said property. The release of the property under the provisions of this section shall not release it from any judgment, lien or libality to which it may be otherwise subject by law.

§ 16. It shall be the duty of every person who proposes to manufacture or sell any liquors herein defined, before he shall manufacture or sell any such liquors, to file with the County Court Clerk of the County wherein he proposes to manufacture or sell such liquors, his sworn statement of intention so to do, which shall contain the following information:

His intention to manufacture or sell such liquors and the kind thereof.

The particular place where such liquors are to be manufactured or sold.

If any person shall manufacture or sell any such liquors before the filing of his declaration of intention so to do, or before executing a bond as hereinafter provided, with the County Court Clerk, he shall be fined not less than One Hundred Dollars nor more than Five Hundred Dollars or imprisoned in the County Jail not less than six months nor more than one year or both so fined and imprisoned in the discretion of the jury and every day on which he shall manufacture, sell or dispose of any such liquors, shall be deemed a separate offense. No such liquors shall be manufactured or sold by any person at any place other than that set out in his declaration of intention.

§ 17. Before any person shall manufacture any spirituous, vinous, malt or intoxicating liquor containing one-half of one per centum of alcohol by volume, he shall execute bond in the sum of $5000.00 with good surety, payable to the Commonwealth of Kentucky, to be approved by the County Court; which said bond shall be executed and filed in the office of the County Court Clerk of the county in which said liquors are to be manufactured or sold. Said bond shall be conditioned that said person shall not manufacture, sell or dispose of such liquors in violation of any of the provisions of this Act. Upon conviction of any such person of any offense provided in this Act, the said bond shall be forfeited to the Commonwealth of Kentucky.

§ 18. Before any person other than a manufacturer shall sell or dispose of any spirituous, vinous, malt or intoxicating liquor containing one-half of one per centum or more of alcohol he shall execute bond in the sum of $2000.00 with good surety, payable to the Commonwealth of Kentucky, to be approved by the County Clerk; which said bond shall be executed and filed in the office of the County Court Clerk of the county in which said liquors are to be sold. Said bond shall be conditioned that such liquors will not be sold or disposed of in violation of any of the provisions of this Act. Upon conviction of any such person of any offense as provided in this act the said bond shall be forfeited to the Commonwealth of Kentucky.

§ 19. All persons manufacturing any spirituous, vinous, malt or intoxicating liquor, containing one-half of one per centum or more of alcohol by volume, shall file in the office of the County Court Clerk of the County in which such liquors are made, a sworn statement, showing the amount, kind and quality of the liquors so manufactured and its location, and if any has been sold, the amount sold, the date of each sale and the name and address of the persons to whom it has been sold. If none has been sold, the report shall so state. This report shall be made and filed on the first day of July and the thirty-first day of December of each year. Such persons so manufacturing such liquors shall keep a record showing the amount, kind and quality of such liquors, the amount sold, the name and address of the persons to whom

any such liquors are sold, and the date of all such sales, which record shall be open to the inspection of the county attorney of the county and the Commonwealth's attorney of the district in which such liquors are manufactured, at all business hours of any day.

§ 20. All persons, other than manufacturers, who sell or dispose of any spirituous, vinous, malt or intoxicating liquor, containing one-half of one per centum or more of alcohol by volume, shall keep a record, showing the amount, kind and quality of such liquors, and the amount sold and the name and address of the persons to whom any such liquors shall be sold, or disposed of, and the dates of all such sales or dispositions, which record shall be open to the inspection of the county attorney of the county and the Commonwealth's attorney of the district in which such liquors are sold, at all business hours of any day.

All such persons, other than manufacturers, who sell or dispose of liquors shall file in the office of the county court clerk of the county in which such liquors are sold, or disposed of, a sworn statement, showing the amount, kind and quality of the liquors sold, the date of such sale, the amount sold, and the name and address of the persons to whom sold. If none has been sold, the report shall so state; such reports shall be made and filed on March 31, June 30, September 30 and December 31 of each year.

A filing fee of twenty-five dollars shall be paid by all persons other than manufacturers who sell any such liquors, to the county court clerk, at the time of the filing of each report, which shall be paid into the state treasury by the clerk.

A filing fee of one hundred dollars shall be paid by such manufacturers of such liquors to the county court clerk, at the time of the filing of each report, which fee shall be paid into the state treasury by the clerk.

§ 21. Before any physician shall issue any prescription for any liquors as provided for herein, he shall execute bond in the sum of $500.00 with good surety, payable to the Commonwealth of Kentucky, to be approved by the county court Clerk which shall be executed and filed in the office of the county Court Clerk of the county in which the said physician

is a resident. Said bond shall be conditioned that said physician shall not prescribe, sell or dispose of any such liquors in violation of any of the provisions of this act. Upon conviction of any such physician of any offense defined in this act, the said bond shall be forfeited to the Commonwealth of Kentucky.

§ 22. Every physician who issues prescriptions under this act shall keep duplicates of same on file in alphabetical order at his office for two years after the date thereof; said prescriptions shall be open to the inspection of the county attorney and the Commonwealth's attorney of the county and district in which such physician resides.

§ 23. No sale or disposition of such liquors as defined herein, shall be made by any person upon or because of any physician's prescription, unless such prescription shall state the name and address of the patient, the druggist or pharmacist to whom addressed, the amount required, that the physician is in personal attendance on said patient, the ailment of the patient and the name and address of the physician who prescribes the liquor, and that the alcoholic preparation prescribed is necessary in the proper treatment of said ailment of said patient and the date thereof. Before any such liquor shall be delivered, it shall be so harmlessly medicated as will render it unfit for beverage purposes. All such prescriptions shall be marked canceled and filed and kept by the person making such sale for two years after the date of the sale, and shall at no time be refilled. Such prescriptions shall be subject to inspection at any business hour of any day by the county attorney of the county and the Commonwealth's attorney of the district in which such liquors are sold. No person other than a regularly licensed and practicing physician shall issue any such prescriptions.

§ 24. No prescription shall provide for more than one pint of such liquors, nor shall any person sell more than one pint of such liquors upon any physician's prescription, to any person at any time, not at intervals of less than ten days. If any person shall procure any such liquors upon such prescriptions at intervals of less than ten days, he shall be fined not less than fifty dollars, nor more than one hundred dollars, or

imprisonment in the county jail for not less than ten days nor more than sixty days, or both so fined and imprisoned in the discretion of the jury.

§ 25. Upon conviction of any druggist, pharmacist or physician for violating any of the provisions of this act, the judgment of conviction, in addition to all other penalties imposed in this act shall provide for the suspension of the license of such physician, druggist or pharmacist for the period of one year.

§ 26. Any person who shall forge a physician's prescription or attempt to use such prescription in obtaining liquors from any person authorized to sell such liquors, or other persons, shall be punished by confinement in the county jail not less than sixty (60) days nor more than one year for such offense.

§ 27. No patent, proprietary or medicine containing more than one-half of one per centum by volume of alcohol shall be sold or disposed of in this Commonwealth, except upon the prescription of a physician which shall be filled by a regular druggist or pharmacist under the provisions and regulations of this act.

§ 28. No lemon or other flavoring extracts containing more than one-half of one per centum by volume of alcohol shall be manufactured, transported or sold in this Commonwealth.

§ 29. It shall be the duty of the Auditor to prepare, by and with the advice of the Attorney General, all blanks and form provided for hereunder. Upon application, he shall furnish any person with a sufficient quantity of the same.

§ 30. For each manufacturer's report filed, the county court clerk shall receive a fee of one dollar.

For each report filed by any person other than a manufacturer, the county court clerk shall receive a fee of fifty cents.

For each declaration of intention to either manufacture or sell, filed by any person, the county court clerk shall receive a fee of one dollar.

All such fees shall be paid by the persons filing such reports and declarations of intention.

§ 31. Any person who shall in any public place, or in or upon any passenger coach, street car, or in or upon any vehicle commonly used for the transportation of passengers, or in or about any depot, platform, waiting station or room, drink any intoxicating liquor of any kind, or if any person shall be drunk or intoxicated in any public or private road or in any passenger coach, street car or other public place or building, or at any public gathering, or if any person shall be drunk or intoxicated or shall disturb the peace of any person, he shall be guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not less than $10.00 nor more than $100.00, or by imprisonment for not less than five days or more than thirty days, or both such fine and imprisonment.

§ 32. Every railroad conductor is hereby authorized and empowered to exercise in any county of this state through which the train in charge of such conductor passes all the common law and statutory powers in their respective counties for the purpose of enforcing the provisions of the last preceding section, and to arrest offenders against any such provisions, and in so doing are acting for the state and not as employees of the railroad company. Arrests for offenses against any such provisions may be made by such conductor without warrant; and persons so arrested shall be delivered by him to some justice of the peace, police judge, sheriff, constable or police officer at some station or place within the county in which the offense was committed, for trial as provided by law; Provided, that if the train shall have passed from the county in which such offense was committed, and for which such arrest shall have been made, then such conductor shall deliver the person so arrested to some officer of another county, and he shall be held and delivered to some officer of the county in which the offense was committed, to be there held for trial as provided for by law. Provided, that any railroad conductor who is actually engaged in the discharge of his duty and makes a legal arrest under the provisions of this section, then and in that case the railroad company employing him shall not be liable for damages to the person or persons for such arrest.

§ 33. Any officer, agent or employee of the railroad company, express company or other common carrier, who shall

knowingly carry or deliver any liquors, the sale of which is prohibited by this act, to and for any person to be sold, bartered, given away, or otherwise furnished in violation of this act, shall be guilty of a misdemeanor. Any officer, agent, or employee who shall knowingly deliver any such liquors to any person other than the person to whom it is consigned, and without a written order in such instance of the consignee thereof shall be guilty of a misdemeanor, and upon conviction shall be fined not less than $50.00 nor more than $500.00.

§ 34. It shall be the duty of the courts and judges of this Commonwealth and all officers and conservators of the peace to enforce all the provisions of this act and of the Acts of Congress of the United States enacted to enforce the Eighteenth Amendment to the United States Constitution.

§ 35. All laws or parts of laws in conflict with this act are hereby repealed.

§ 36. If any section, paragraph or part of this act shall be held to be unconstitutional, the remainder of this act shall continue effective and enforcible notwithstanding such decision.

§ 37. This act shall take effect on and after July 1, 1920.

Mr. Waggoner moved that today's session be extended until the matter (House Bill No. 181) under consideration be disposed of.

Said motion was agreed to.

Mr. Meyers moved to table the bill and Senate amendments.

On a roll call said motion resulted as follows, viz.:

Those who voted in the affirmative were:

Rodney G. Bryson	J. W. Johnson	Frank L. Strange
Charles M. Ciarlo	W. L. Kimbrough	J. H. Thompson
P. A. Day	Harry J. Meyers	Dr. D. J. Travis
H. C. Duffy	John T. Murphy	W. N. Winn

J. M. Foster	T. P. Oliver	Dr. W. S. Yazell
Dr. W. L. Gossett	Dr. Lewis Ryans	—17

Those who voted in the negative were:

L. H. Ballard	Griffin Kelly	Chas. R. Scott
H. H. Barnes	Frank Kennard	W. P. Scott
W. T. Beckham	J. M. Knott	E. E. Shannon
S. M. Bennett	Dr. S. D. Laughlin	Dr. B. F. Shields
Roy J. Cain	Hebron Lawrence	H. G. Skiles
W. T. Carner	Joseph Lazarus	H. A. Spillman
J. F. Carr	Elmer Lusby	R. Lee Stewart
B. L. Cox	R. C. Marcum	Wm. A. Stewart
J. S. Cruse	I. S. Mason	John T. E. Stites
H. N. Dean	A. J. McCandless	T. R. Stultz
J. B. Denues	R. L. McFarron	John W. Swope
B. J. Geohringer	H. C. McLellen	John B. Thomas
J. W. Geveden	Mack J. Morgan	John L. Trumbo
A. F. Hanberry	Estill W. Neel	J. Wood Vance
E. C. Hardin	Chas. A. Nelson	Fred C. VanHoose
Dr. W. L. Haynes	T. C. Pryse	Daniel Vose
Talbert Holliday	S. C. Ray	Geo. C. Waggoner
D. J. Howard	B. F. Reynolds	A. M. Wash
A. R. Hudson	J. L. Richardson	J. S. Webb
Adam W. Huff	B. A. Roth	Dr. T. R. Welch
		—60

Said motion was lost.

Mr. Waggoner moved that the House do concur in Senate amendments Nos. 1, 2, 3, 4, 5, and 6, which are as follows, viz.:

IN SENATE.

Resolved, that House Bill 181 do pass with the following amendments, viz.:

(1) Amend Section 7 of House Bill 181 by striking out the whole thereof and substituting therefor the following,

numbering same as Section 7: "Section 7. All persons who are convicted under this Act and receive a fine or jail sentence as punishment may serve out the judgment at hard labor at the rate of one dollar per day of the unpaid fine or jail sentence."

(2) Amend House Bill 181 by inserting in Section 6, Sub-section j in line 27, on page 3, before the word "may," the word "which."

(3) Amend Section 9, House Bill 181 as printed, by adding the following: "Provided, however, when any citizen changes dwelling place, he may be permitted to take such liquor to his new dwelling place, provided he has secured a proper permit from a Federal official having authority to issue the same."

(4) Amend Section 12 by striking therefrom the word "the" before the word "witness," in line 9, and by striking also from said section in line 11, the figures $100.00 and inserting in lieu thereof the figures "$1,000.00."

(5) Amend House Bill No. 181, Section 14, line 3, after the word "abatement," by striking out the following words: "Including a reasonable fee to the attorney for the plaintiff which shall be taxed as part of the cost of the action."

(6) Amend House Bill 181 by striking therefrom the last two paragraphs of Section 19, being lines 17 to 26 inclusive, on page 10 of the printed bill.

A separate vote being taken on each amendment, said motion to concur was agreed to and said amendments were concurred in.

The yeas and nays were taken on the passage of said bill, as amended, in the Senate.

The roll call resulted as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	Frank Kennard	Dr. B. F. Shields
H. H. Barnes	J. M. Knott	H. G. Skiles
W. T. Beckham	Dr. S. D. Laughlin	H. A. Spillman

S. M. Bennett
Roy J. Cain
J. F. Carr
B. L. Cox
H. N. Dean
J. B. Denues
B. J. Geohringer
J. W. Geveden
A. F. Hanberry
E. C. Hardin
Dr. W. L. Haynes
Talbert Holliday
A. R. Hudson
Adam W. Huff
R. O. Huntsman
Henry Kaufman
Griffin Kelly
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
H. C. McLellen
Claude D. Minor
Mack J. Morgan
Chas. A. Nelson
T. C. Pryse
B. F. Reynolds
J. L. Richardson
Sherman Robbins
B. A. Roth
Chas. R. Scott
W. P. Scott
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
T. R. Stultz
John W. Swope
John B. Thomas
J. H. Thompson
Dr. D. J. Travis
Fred C. VanHoose
Daniel Vose
A. M. Wash
Dr. T. R. Welch
Gladstone Wesley
W. N. Winn
Dr. W. S. Yazell
—58

Those who voted in the negative were:

Rodney G. Bryson
P. A. Day
H. C. Duffy
Dr. W. L. Gossett
J. W. Johnson
W. L. Kimbrough
Harry J. Meyers
John T. Murphy
Estill W. Neel
Dr. Lewis Ryans
E. E. Shannon
Frank L. Strange
—12

So said bill as amended by the Senate was passed.

Resolved, That the title thereof be as aforesaid.

Mr. Waggoner moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then at 12:20 P. M. the House took a recess until 1:30 P. M.

AFTERNOON SESSION, MARCH 9, 1920.

The House reconvened at 1:30 P. M.

By unanimous consent, the following bill was introduced, ordered to be printed, and referred to the Committee on Rules:

By Mr. Day:

House Bill No. 547, entitled: An Act to amend Section 16, Chapter CCXXVI of the Acts of 1893, same being of June 15, 1893, of the Commonwealth of Kentucky, increasing the fees of coroners as provided for in said Act.

The following pair was announced:

Mr. Holliday, who will be absent, with Mr. Kennard, on all party and administration measures. Mr. Holliday, if present, would vote "aye" on such measures.

A message was received from the Senate announcing that it had passed the following bills:

Senate Bill No. 141, entitled: An Act to amend and re-enact Sections 4282 and 4283 of Kentucky Statutes, Carroll's Edition of 1918.

Senate Bill No. 154, entitled: An Act to amend Section 18 of Chapter CXII of the Session Acts of 1918 of the General Assembly of Kentucky, said amendment authorizing the sheriff and his deputies to kill unlicensed dogs found running at large, and providing for the payment of the sheriff and his deputies for such service.

Ordered, that said bills be printed and referred to the Committee on Rules.

A message was received from the Senate announcing that it had refused to concur in the following amendment to Senate Bill No. 143:

Amend Senate Bill 143 by adding at the end of Section 5 the following: "Provided, however, any person who shall be permanently removed from the office to which he was elected, shall not be denied the right of appeal to any court of competent jurisdiction."

Mr. Lazarus moved that the House do recede from said amendment.

A roll call was demanded by Mr. Lazarus and another.

The yeas and nays being taken on the motion to recede were as follows:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	Lee Rogers
L. H. Ballard	R. O. Huntsman	B. A. Roth
H. H. Barnes	Henry Kaufman	Dr. Lewis Ryans
Jo F. Bosworth	W. L. Kimbrough	R. Lee Stewart
Rodney G. Bryson	Hebron Lawrence	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	T. R. Stultz
W. T. Carner	R. C. Marcum	C. B. Truesdell
J. F. Carr	I. S. Mason	John L. Trumbo
Charles M. Ciarlo	A. J. McCandless	Fred C. VanHoose
J. S. Cruse	R. L. McFarron	Daniel Vose
H. N. Dean	H. C. McLellen	A. M. Wash
H. C. Duffy	Mack J. Morgan	J. S. Webb
J. M. Foster	Estill W. Neel	Gladstone Wesley
Dr. T. H. Gamblin	T. C. Pryse	R. E. Wilborn
B. J. Geohringer	S. C. Ray	V. M. Williamson
A. F. Hanberry	J. L. Richardson	Dr. W. S. Yazell
A. R. Hudson	Sherman Robbins	—50

Those who voted in the negative were:

Lon Adams	J. W. Johnson	H. G. Skiles
W. T. Beckham	Griffin Kelly	H. A. Spillman
W. M. Boling	J. M. Knott	John T. E. Stites
A. S. Cooper	Dr. S. D. Laughlin	Frank L. Strange
B. L. Cox	Elmer Lusby	John W. Swope
P. A. Day	Claude D. Minor	John B. Thomas
J. B. Denues	John T. Murphy	J. Mack Thompson
J. W. Geveden	Chas. A. Nelson	J. H. Thompson
Dr. W. L. Gossett	T. P. Oliver	Dr. D. J. Travis
A. L. Hamilton	B. F. Reynolds	Geo. C. Waggoner
E. C. Hardin	Chas. R. Scott	Dr. T. R. Welch
Dr. W. L. Haynes	W. P. Scott	W. G. Wheeler
D. J. Howard	E. E. Shannon	W. N. Winn
Robt. Humphreys	Dr. B. F. Shields	—41

So the motion to recede was agreed to.

Ordered, that the House do recede from said amendment and the Chief Clerk certify same to the Senate.

Then the yeas and nays were taken on the passage of the bill without said House amendment and resulted as follows:

Those who voted in the affirmative were:

Sidney Alfrey	R. O. Huntsman	B. A. Roth
L. H. Ballard	Henry Kaufman	Dr. Lewis Ryans
H. H. Barnes	W. L. Kimbrough	E. E. Shannon
S. M. Bennett	Hebron Lawrence	R. Lee Stewart
Rodney G. Bryson	Joseph Lazarus	Wm. A. Stewart
Roy J. Cain	R. C. Marcum	J. T. E. Stites
W. T. Carner	I. S. Mason	T. R. Stultz
J. F. Carr	A. J. McCandless	John L. Trumbo
J. S. Cruse	R. L. McFarron	Fred C. VanHoose
H. N. Dean	H. C. McLellen	Daniel Vose
J. B. Denues	Mack J. Morgan	A. M. Wash
J. M. Foster	Estill W. Neel	J. S. Webb

Dr. T. H. Gamblin	T. C. Pryse	Gladstone Wesley
B. J. Geohringer	S. C. Ray	R. E. Wilborn
A. F. Hanberry	J. L. Richardson	V. M. Williamson
A. R. Hudson	Sherman Robbins	Dr. W. S. Yazell
Adam W. Huff	Lee Rogers	—50

Those who voted in the negative were:

Lon Adams	J. W. Johnson	H. G. Skiles
W. T. Beckham	Griffin Kelly	H. A. Spillman
W. M. Boling	J. M. Knott	Frank L. Strange
B. L. Cox	Dr. S. D. Laughlin	John W. Swope
P. A. Day	Elmer Lusby	John B. Thomas
H. C. Duffy	Claude D. Minor	J. M. Thompson
J. W. Geveden	John T. Murphy	J. H. Thompson
Dr. W. L. Gossett	Chas. A. Nelson	Dr. D. J. Travis
A. L. Hamilton	T. P. Oliver	Dr. T. R. Welch
E. C. Hardin	Chas. R. Scott	W. G. Wheeler
D. J. Howard	W. P. Scott	W. N. Winn
Robt. Humphreys	Dr. B. F. Shields	—35

So the bill, without said amendment, was passed.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Resolved, That the title of said bill be as aforesaid.

The foregoing action on Senate Bill No. 143 was certified to the Senate.

The action of the House in concurring in Senate amendments numbered 1 to 6 inclusive to House Bill No. 181 was certified to the Senate.

Mr. Meyers moved that the vote taken this morning on Senate Resolution No. 25, entitled, Joint Resolution for the

benefit of the Chief Clerks and Assistant Clerks of the Senate and House of Representatives, be reconsidered and that that motion lie on the table.

Said motion was agreed to.

Mr. Wash moved that the consideration of House Bill No. 511 be postponed.

Said motion was agreed to.

Mr. Waggoner moved that the consideration of House Bill No. 523 be postponed and that same retain its place in the Orders of the Day.

Said motion was agreed to.

Mr. Waggoner, of the Committee on Rules, called up for consideration House Bill No. 469.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 469. An Act to amend and re-enact Section 5 of Chapter XXXVI of the Acts of the General Assembly of 1916, relating to the working of convicts on public roads and bridges.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of ***Kentucky*****:**

§ 1. That Section 5 of Chapter XXXVI of the Acts of the General Assembly of 1916 be amended and re-enacted so that said section will read as follows:

When the Commissioner of Public Roads shall employ any convicts in accordance with section one hereof, he shall pay therefor from the State Road Fund the sum of two ($2.00) dollars per day per man for each convict so hired by him.

The State Commissioner of Public Roads shall, at the end of each month, certify to the Board of Prison Commissioners or to any board which may have succeeded to its powers and duties, and to the Auditor of Public Accounts the number of convicts hired by him during such month, and the amount of hire with which said board shall be credited and with which the State Road Fund shall be charged. Convicts engaged on state road work may be employed on an average of ten hours a day, but the number of hours per day such convicts may be required to work in any month may vary with the seasons and shall be under the discretion of said board and the commissioner of Public Roads.

§ 2. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Mr. Wash offered the following substitute to said bill:

That Chapter XXXVI of the Acts of 1916 be and the same is hereby repealed and the following is enacted in lieu thereof:

An Act providing for the working of prisoners who are confined in the prisons, on State highways and bridges, constructed by the Department of State Roads and Highways; providing for the setting apart of a fund from the State Road Fund, to be used by the Department of State Roads and Highways in building State roads and bridges with convict labor, and to enable said Department of State Roads and Highways to work said prisoners in the mining, quarrying and manufacturing and preparation of material for building roads and bridges; providing aid and assistance to the State Highway Commission in the construction of State roads with convict labor and otherwise; providing for the assignment of prisoners to do State road work, and for their supervision and management while so engaged; providing a method of payment for the roads so constructed out of the State Road Fund, and authorizing the State Board of Control to provide means of employment for convicts while not engaged in working on public roads and bridges, and in the manufacturing, quarrying, mining and preparation of road material; providing that

the State Board of Control may lease farms on which to work convicts, and providing compensation for all prisoners that may work under the supervision of the State Board of Control; and providing ways and means whereby prior indebtedness of the counties to the State for convict labor work can be liquidated.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Upon a demand of the State Highway Commission, the State Board of Control shall assign such of the prisoners confined in either of the prisons as are available for work on such roads as are constructed under the directions of the Department of State Roads and Highways. Such prisoners may also be employed in the manufacturing, quarrying, mining and preparation of road and bridge material to be used either by the Department of State Roads and Highways in the construction of roads and bridges, or by the State Board of Control for such other purposes as the said Board may determine. Such prisoners as are assigned for the aforesaid work shall work at such places and such times as may be designated by the State Highway Engineer and the work done by them shall be performed under the direction and according to the plans and specifications of the Department of State Roads and Highways. While such prisoners are engaged in the work aforesaid, the transportation, as defined below, care, guarding, supervision, maintenance and housing shall be under the control and direction of the said State Board of Control. The cost and expense of the same shall be paid out of the fund accuring from the hiring of such convicts as provided in Section 3 hereof.

The transportation as above referred to shall mean the railroad fare and incidental expenses of prisoners from their respective prisons to the county in which they shall be employed, and shall also include the transportation from one county to another county when said prisoners are so removed for the purpose of employment. The said Board shall prescribe rules and regulations for their supervision, care and comfort, and to that end the said Board is given full power to

prescribe such rules and regulations as may be necessary for the proper confinement, watching and guarding of said prisoners while so engaged, and the expense thereof shall be certified by the State Board of Control to the Auditor and paid as provided for herein; provided, however, that for the year 1920 not more than 15 per cent of the road fund for that year shall be expended under the provisions of this Act and for the year 1921 not more than 15 per cent of the road fund for that year shall be expended in addition to such a sum as represents the difference between 15 per cent of the road fund for 1920 and the amount actually expended during 1920 under the provisions of this Act. But the said limitations of expenditure as above referred to are not to include expenditures for the purchase of machinery as provided in Section 2 hereof.

§ 2. The purchase of the necessary machinery and equipment for the construction of roads and bridges or preparing material for roads and bridges and the purchasing of and payment for such materials as may be required in constructing roads and bridges with convict labor, and for the purchase of and maintenance of vehicles to be used in transporting the convicts while so engaged in such work, or for the transportation of employees of the Department of State Roads and Highways in the interest of any State roads, shall be a proper charge against the State Road Fund when so certified by the State Highway Engineer and upon the approval of the State Highway Commission, shall be paid by the Auditor of Public Accounts. All purchases made under the provisions of this Act shall first be advertised by the State Highway Commission and contracts for such material shall be let to the lowest and best responsible bidder and all bids shall be filed in the office of the State Highway Commission and be a public record thereof. The amount expended under the provisions of this section shall not exceed 10 per centum of the State Road Fund.

§ 3. After July 1, 1920, the use of convict labor herein provided for shall be confined exclusively to the construction and maintenance of the system of State highways heretofore designated by the General Assembly, and when the State Highway Commission shall employ any convicts in accordance with Section 1 hereof, they shall pay therefor from the State

Road Fund the sum of one dollar and fifty ($1.50) cents per day per man for each convict so hired by them. The State Highway Commission shall at the end of each month, certify to the State Board of Control and to the Auditor of Public Accounts, the number of convicts hired by them during such month, and the amount of hire with which said State Board of Control shall be credited, and with which the State Road Fund shall be charged. Convicts engaged on State road work may be employed on an average of ten hours a day, but the number of hours per day such convicts may be required to work in any month may vary with the season and shall be under the direction of the State Board of Control and the State Highway Engineer.

§ 4. The State Board of Control shall not work any convicts outside the walls of the prison on road or bridge work who have been sentenced to life imprisonment, until he shall have actually served within the walls of the prison five years of such sentence, nor shall any convict sentenced for rape, attempted rape, detaining a woman against her will, or who has escaped or attempted to escape, or who has violated his parole, or who has been convicted and sentenced to the penitentiary more than twice, but such convicts shall serve their respective sentences within the walls of the prison.

§ 5. The State Board of Control shall provide rules and regulations whereby each prisoner engaged in any kind of work shall receive a certain sum each day from his earnings, which sum shall be not less than five (5) cents nor more than fifteen (15) cents per day, the amount thereof to be determined as may be provided by the State Board of Control; provided, the funds thus accruing to the credit of any prisoner shall be paid to him, or to dependent members of his family, at such times and in such manner as the State Board of Control may deem best, but at least 25 per cent of such credit shall be left for and paid to the prisoner at the time of his parole or final discharge by the State Board of Control; and provided that the warden may, with the approval of the State Board of Control, by way of punishment for violation of rules and of propriety, or any other misconduct, cancel or distribute to the family of the prisoner such portion of such credit as

he may deem best. At the end of each month, the State Board of Control shall certify to the Auditor of Public Accounts the amount due each prisoner for that month and he shall draw warrant on the State Treasurer for the amount so certified.

§ 6. The State Board of Control is hereby vested with full power and authority to provide method and means of employing all convicts who may be retained within the walls of the prison at any time that such method or means as may be determined or put into effect shall be submitted to the Governor, who shall approve all plans, methods or means which may be suggested or outlined by said Board.

§ 7. The State Board of Control is hereby empowered to lease a farm or farms or land immediately adjoining either penitentiary or adjacent thereto for the working of convicts thereon, said leases to be limited to the term of the Governor approving same, and the said State Board of Control may prescribe all necessary rules and regulations for the support and maintenance of prisoners while at work on such farms or farm and the contract price of such lease shall be certified to the Auditor by said Board, and paid as other claims against the Commonwealth, but no lease so made by said Board shall be binding or effective until the same has been submitted to the Governor and shall have been approved by him.

§ 8. With the approval and consent of the State Highway Commission, the State Highway Engineer may employ such civil engineers as may be deemed necessary to assist the Department of State Roads and Highways in the construction of roads and bridges herein provided for, and the salary and expenses of such engineers shall be paid by the Auditor out of the State Road Fund upon proper certification by the State Highway Engineer and the approval of the State Highway Commission.

§ 9. The State Highway Engineer shall execute a bond to the Commonwealth of Kentucky in the sum of ten thousand ($10,000) dollars for the faithful performance of his duties and that he will diligently care for any and all property belonging to the State coming into his hands for use in the construction of roads and bridges, which bond shall be approved by the Governor and filed with the Secretary of State.

The State Highway Engineer may require any employee in the engineering department to execute a bond to the Commonwealth of Kentucky in a sum to be fixed by the engineer conditioned for the faithful performance of the duties of such employee, which bond shall be approved by the engineer and filed with the Secretary of State.

§ 10. The State Highway Commission shall cause to be prepared a statement of costs of any convict labor road improvements heretofore made under the present law, such statement shall show a list of all expenditures and the total of same. A copy of this statement shall be presented to the Fiscal Court of the county in which such convict labor improvements have been made setting forth the amount due the State by the county as its share of the cost according to the provisions of Chapter XXXVI, Acts General Assembly, 1916. The State Highway Commission shall, at the time of submitting this statement to the Fiscal Court make request upon the Fiscal Court of such county for the immediate payment of the sum due the State as set out in such settlement. Upon the failure or refusal of any county to comply with the request to reimburse the State in a sum equal to fifty per centum of the total cost of such road improvement, then the State Highway Commission shall thereupon place to the credit of the State, as reimbursement to the county on any State Aid road work which has already been accepted by the State or may hereafter be accepted, the total sum paid out by the State on convict labor in such county.

In case the amount due any county on State Aid road construction is less than the amount due the State by the county on convict labor road work, then the difference between such amounts shall again be submitted by the State Highway Commission for payment. When such payment or payments have been made, they shall be placed to the credit of such county on account of convict labor road improvements in that county.

§ 11. All laws and parts of laws in conflict with this Act are hereby repealed.

Said substitute was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Waggoner moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	Chas. R. Scott
L. H. Ballard	Henry Kaufman	W. P. Scott
H. H. Barnes	Griffin Kelly	E. E. Shannon
S. M. Bennett	Frank Kennard	Dr. B. F. Shields
Rodney G. Bryson	W. L. Kimbrough	H. G. Skiles
Roy J. Cain	J. M. Knott	H. A. Spillman
W. T. Carner	Dr. S. D. Laughlin	R. Lee Stewart
J. F. Carr	Hebron Lawrence	Wm. A. Stewart
Charles M. Ciarlo	Elmer Lusby	J. T. E. Stites
A. S. Cooper	R. C. Marcum	Frank L. Strange
B. L. Cox	I. S. Mason	T. R. Stultz
H. N. Dean	A. J. McCandless	John W. Swope
J. B. Denues	R. L. McFarron	J. M. Thompson
H. C. Duffy	Harry J. Meyers	C. B. Truesdell
J. M. Foster	Mack J. Morgan	John L. Trumbo
Dr. T. H. Gamblin	John T. Murphy	Daniel Vose
B. J. Geohringer	Estill W. Neel	A. M. Wash
J. W. Geveden	Chas. A. Nelson	J. S. Webb
A. L. Hamilton	S. C. Ray	Dr. T. R. Welch

A. F. Hanberry	B. F. Reynolds	Gladstone Wesley
E. C. Hardin	J. L. Richardson	W. G. Wheeler
Dr. W. L. Haynes	Sherman Robbins	R. E. Wilborn
D. J. Howard	Lee Rogers	W. N. Winn
A. R. Hudson	B. A. Roth	Dr. W. S. Yazell

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Those who voted in the negative were:

J. W. Johnson —1

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Waggoner, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 78. An Act for the benefit of the Red Cross Association (colored) of Louisville.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated out of any money in the treasury, not otherwise appropriated, the sum of five thousand dollars per annum payable annually for the benefit of the Red Cross Association (colored) and the Auditor of Public Accounts be and he is hereby authorized and directed to draw his warrants upon the treasury annually in favor of said Red Cross Association (colored) for the sum of five thousand dollars.

Provided, no part of said appropriation shall be paid until there has been executed on the part of said association,

a bond in the sum of ten thousand dollars, to the Commonwealth of Kentucky, with good and sufficient surety, stipulating and providing that all of said sums of money so appropriated shall be applied to the purposes of the articles of incorporation of said association and a failure to so do to be a forfeiture thereof. Said bond shall be approved by the Auditor of Public Accounts and kept as a record in his office. If any part of said appropriation be not so applied then all of such part thereof as may be unexpended shall be returned to and covered into the State Treasury. Said association, by its proper officers, make an annual verified statement and settlement with the Auditor of Public Accounts showing when, where and how said appropriations have been applied and disbursed, and said associations shall keep such books of accounts, as to its receipts and expenditures as may be prescribed by the State Inspector and Examiner and which said books of accounts shall be subject to examination and audit by said State Inspector and Examiner.

Provided, further, that said associations shall not at any time or in any manner, anticipate any payments to it by reason of any appropriations hereby made.

§ 2. The said Auditor of Public Accounts is authorized and directed to draw his warrants upon the treasury in favor of said Red Cross Association (colored) on the first day of July, 1920, and annually on the same day and date thereafter, for the sum of five thousand dollars.

Ordered, that said bill be read the third time.

Mr. Waggoner moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	A. R. Hudson	J. L. Richardson
H. H. Barnes	Adam W. Huff	B. A. Roth
W. T. Beckham	R. O. Huntsman	Dr. Lewis Ryans
Jo F. Bosworth	J. W. Johnson	Chas. R. Scott
Rodney G. Bryson	Henry Kaufman	W. P. Scott
Roy J. Cain	Griffin Kelly	Dr. B. F. Shields
W. T. Carner	W. L. Kimbrough	H. G. Skiles
J. F. Carr	J. M. Knott	R. Lee Stewart
Charles M. Ciarlo	Dr. S. D. Laughlin	J. T. E. Stites
A. S. Cooper	Hebron Lawrence	Frank L. Strange
B. L. Cox	Joseph Lazarus	T. R. Stultz
J. S. Cruse	R. C. Marcum	John W. Swope
P. A. Day	I. S. Mason	John L. Trumbo
H. N. Dean	A. J. McCandless	J. Wood Vance
J. M. Foster	R. L. McFarron	Geo. C. Waggoner
Dr. T. H. Gamblin	H. C. McLellen	A. M. Wash
B. J. Geohringer	Harry J. Meyers	J. S. Webb
A. L. Hamilton	Mack J. Morgan	Gladstone Wesley
A. F. Hanberry	Estill W. Neel	R. E. Wilborn
Dr. W. L. Haynes	T. C. Pryse	W. N. Winn
D. J. Howard	S. C. Ray	Dr. W. S. Yazell

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Those who voted in the negative were:

Lon Adams	Frank Kennard	John B. Thomas
H. C. Duffy	Elmer Lusby	J. M. Thompson
Robt. Humphreys	Chas. A. Nelson	

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Resolved, That the title thereof be as aforesaid.

Mr. Waggoner moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Waggoner, of the Committee on Rules, called up for consideration House Bill No. 466.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 466. An Act imposing a license tax on taverns and hotels, and defining same; on trading stamp companies, and defining same, on wholesalers and jobbers of cigarettes; on billiard and pool tables; for bottling soft drinks; on oleomargarine dealers, railroad eating houses; dealers in patent and proprietary medicines; restaurants; real estate agents, and defining same; on shooting gallaries; on retail dealers in soft drinks and ice cream, and defining same; on theaters, and defining same; on gasoline filling stations; garages, on garages and gasoline filling stations combined; and automobile agents.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No person, firm or corporation shall engage in any of the occupations or sell any of the articles named in this act until such person, firm or corporation shall have paid to the County Court Clerk of the county wherein such person, firm or corporation is engaged in such occupation or in selling such article, the license fees herein set out.

Tavern or Hotel. To keep a tavern or hotel, fifty cents for each room of said hotel or used in connection with same, the minimum license, however, in no event to be less than ten dollars.

A tavern or hotel, as used herein, shall be construed to mean any building wherein lodging is furnished to transient guests, for compensation.

Trading Stamp Companies. For all resident or foreign trading stamp companies or corporations doing business in

this State, three hundred and fifty dollars. A trading stamp company, as used in this act, shall be construed to mean any company or organization that gives premiums of valuable personal property in exchange for stamps or checks furnished to purchasers of merchandise.

Cigarettes—Wholesalers and Jobbers. For each wholesale dealer or jobber of cigarettes, fifty dollars.

Billiard or Pool Tables. For each billiard or pool table where a fee is charged and collected, directly or indirectly, thirty dollars for the first table and five dollars for each additional table.

Soft Drinks—Bottling. On each establishment for the bottling of proprietary and soft drinks fifty dollars.

Oleomargarine Dealer. On each dealer selling by retail oleomargarine, or similar manufactured butter, ten dollars.

Railroad Eating House. On each railroad eating house, fifteen dollars.

Dealers in Patent and Proprietary Medicines. On each person, firm or corporation selling patent or proprietary medicine from a fixed place of business, twenty-five dollars. On each transient vendor or trader of patent, secret, proprietary medicines or nostrums, by whatever name called, one hundred dollars.

Restaurant. On each restaurant serving meals or lunches, ten dollars.

Real Estate Agent. On each real estate agent, ten dollars. Any person, firm or corporation who sells or leases real estate for a commission shall be construed to be a real estate agent within the meaning of this act.

Shooting Gallery. On each shooting gallery, five dollars.

Retail Dealers in Soft Drinks and Ice Cream. On each retail dealer in soft drinks and ice cream, ten dollars. A retail dealer in soft drinks, within the meaning of this act, shall be construed to be any person, firm or corporation who sells by retail any non-intoxicating beverage, whether bottled or from the fountain. In cases where ice cream and soft drinks are sold at the same place, one license fee of ten dollars only shall be charged.

Theaters. On each theater for public exhibitions or performances, twenty cents per seat per annum, the minimum

charge under this section to be ten dollars. A theater within the meaning of this act shall be construed to be any building wherein public exhibitions or performances, including moving picture shows, are given, and at which a charge is exacted for those attending same.

Gasoline Filling Station. On each gasoline filling station, from which gasoline is sold by retail, ten dollars for each tank or pump from which said gasoline is drawn.

Garages. On automobile garages, fifteen dollars. An automobile garage within the meaning of this act shall be construed to be any place where repair work is done on automobiles, or where automobiles are stored, and for which a storage charge is exacted.

Garages and Gasoline Filling Stations Combined. On each automobile garage and gasoline filling station, used in connection with each other and located at the same place, and owned and operated by the same person, firm or corporation, twenty dollars; provided, only one tank or pump is used in connection therewith; and for every tank or pump used in connection with such garage after the first one an additional charge of five dollars.

Automobile Agents. On each resident agent for automobiles, ten dollars for each make of machine for which he is agent.

§ 2. All acts in conflict with this act are hereby repealed, but this shall not be construed to exempt any occupation, trade or business from the imposition of the license tax now imposed by law and not mentioned in this act.

Mr. Huntsman offered the following substitute to said bill:

An Act imposing a license tax on taverns and hotels, and defining same; on trading stamp companies, and defining same; on wholesalers and jobbers of cigarettes; on billiard and pool tables; for bottling soft drinks; on oleomargarine dealers; railroad eating houses; dealers in patent and proprietary medicines; restaurants; real estate agents and defining same; on shooting galleries; on retail dealers in soft

drinks and ice cream, and defining same; on theaters, and defining same; on gasoline filling stations combined; and automobile agents, automobiles, hacks and stages used for hire, hack line, and second-hand dealers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No person, firm or corporation shall engage in any of the occupations or sell any of the articles named in this Act until such person, firm or corporation shall have paid to the County Court Clerk of the county wherein such person, firm or corporation is engaged in such occupation or in selling such article, the license fees herein set out.

Tavern or Hotel. To keep a tavern or hotel, fifty cents for each room of said hotel or used in connection with same, the minimum license, however, in no event to be less than ten dollars. A tavern or hotel, as used herein, shall be construed to mean any building wherein lodging is furnished to transient guests, for compensation.

Trading Stamp Companies. For all resident or foreign trading stamp companies or corporations doing business in this State, three hundred and fifty dollars. A trading stamp company, as used in this Act, shall be construed to mean any company or organization that gives premiums of valuable personal property in exchange for stamps or checks furnished to purchasers of merchandise.

Cigarettes—Wholesalers and Jobbers. For each wholesale dealer or jobber of cigarettes, fifty dollars.

Billiard or Pool Tables. For each billiard table or pool table, where a fee is charged and collected, directly or indirectly, thirty dollars for the first table and five dollars for each additional table.

Soft Drinks—Bottling. On each establishment for the bottling of proprietary and soft drinks, fifty dollars.

Oleomargarine Dealer. On each dealer selling by retail oleomargarine, or similar manufactured butter, ten dollars.

Railroad Eating House. On each railroad eating house, fifteen dollars.

Dealers in Patent and Proprietary Medicines. On each person, firm or corporation selling patent or proprietary medicines from a fixed place of business, twenty-five dollars. On each transient vendor or trader of patent, secret, proprietary medicines or nostrums, by whatever name called, one hundred dollars.

Restaurant. On each restaurant serving meals or lunches, ten dollars.

Real Estate Agent. On each real estate agent, ten dollars. Any person, firm or corporation who sells or leases real estate for a commission shall be construed to be a real estate agent within the meaning of this Act.

Shooting Gallery. On each shooting gallery, five dollars.

Retail Dealers in Soft Drinks and Ice Cream. On each retail dealer in soft drinks and ice cream, ten dollars. A retail dealer in soft drinks, within the meaning of this Act, shall be construed to be any person, firm or corporation who sells by retail any non-intoxicating beverage, whether bottled or from the fountain. In cases where ice cream and soft drinks are sold at the same place one license fee of ten dollars only shall be charged.

Theaters. On each theater for public exhibitions or performances, twenty cents per seat per annum, the minimum charge under this section to be ten dollars. A theater within the meaning of this Act shall be construed to be any building wherein public exhibitions or performances, including moving picture shows, are given, and at which a charge is exacted for those attending same.

Gasoline Filling Station. On each gasoline filling station, from which gasoline is sold by retail, ten dollars for each tank or pump from which said gasoline is drawn.

Garages. On automobile garages, fifteen dollars. An automobile garage within the meaning of this Act shall be construed to be any place where repair work is done on automobiles, or where automobiles are stored, and for which a storage charge is exacted.

Garages and Gasoline Filling Stations Combined. On each automobile garage and gasoline filling station, used in connection with each other and located at the same place, and

owned and operated by the same person, firm or corporation, twenty dollars; provided, only one tank or pump is used in connection therewith; and for every tank or pump used in connection with such garage after the first one, an additional charge of five dollars.

Automobile Agents. On each resident agent for automobiles, ten dollars for each make of machine for which he is agent.

Automobiles, Hacks and Stages Used for Hire. On each automobile, hack or stage used, in whole or in part, for carrying passengers for hire, five dollars.

Hack Line. On each regular hack, stage or automobile line for public use, where a fare is charged and collected, fifteen dollars.

Second-Hand Dealers. On any person, firm or corporation engaged in buying or selling second-hand personal property of any character, one hundred dollars.

§ 2. All Acts in conflict with this Act are hereby repealed, but this Act shall not be construed to exempt any occupation, trade or business from imposition of the license tax now imposed by law and not mentioned in this Act.

Mr. Minor offered an amendment to the substitute for said bill, as follows:

Strike out the words "on each person, firm or corporation selling patent or proprietary medicine from a fixed place of business, twenty-five dollars," in lines 24, 25 and 26, on page 2 of substitute bill. Strike out all of lines beginning with the words "gasoline filling stations," on page 3 of substitute, down to but not including the words "automobile agents," on page 4 of substitute bill.

Said amendment was agreed to.

Mr. Hamilton offered amendment to said substitute as follows:

Amend page 3, first line, strike out "one hundred dollars," insert in lieu "twenty-five."

Said amendment was disagreed to.

Mr. Haynes offered the following amendment:

Amend page 2, third line from bottom, strike out "twenty-five dollars" and insert "ten dollars."

Said amendment was withdrawn.

Mr. Murphy offered the following amendment:

Amend House Bill No. 466 by adding the following paragraph before Section 2: All firms, corporations or individuals who are engaged in the mining of coal other than for their own consumption, shall pay an annual license tax of two cents per ton on all coal mined and sold. Said firms, corporations or individuals shall file quarterly, beginning September 1, 1920, a sworn statement with the State Tax Commission, showing the amount of coal so mined, sold and delivered. Said tax shall become due and payable thirty days after said sworn statement is filed with the State Tax Commission.

Mr. Huntsman raised the point of order that Mr. Murphy's amendment is not germane to the bill.

The Speaker said he was inclined to believe that the point of order was well taken, but that he preferred to leave the matter to a vote of the House.

So he ruled the point of order not well taken.

The yeas and nays being demanded on said amendment by Mr. Murphy and another resulted as follows, viz.:

Those who voted in the affirmative were:

Lon Adams
L. H. Ballard
W. T. Beckham
W. M. Boling
P. A. Day
H. C. Duffy
Dr. W. L. Gossett
A. L. Hamilton
Dr. W. L. Haynes
D. J. Howard
Robt. Humphreys
Griffin Kelly
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Elmer Lusby
Claude D. Minor
John T. Murphy
Chas. A. Nelson
T. P. Oliver
B. F. Reynolds
Lee Rogers
Chas. R. Scott
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
H. A. Spillman
Frank L. Strange
John W. Swope
John B. Thomas
J. H. Thompson
J. Wood Vance
Geo. C. Waggoner
Dr. T. R. Welch
W. G. Wheeler
W. N. Winn
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Those who voted in the negative were:

Sidney Alfrey
H. H. Barnes
S. M. Bennett
Roy J. Cain
W. T. Carner
J. F. Carr
A. S. Cooper
B. L. Cox
J. S. Cruse
H. N. Dean
J. B. Denues
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
A. F. Hanberry
E. C. Hardin
A. R. Hudson
Adam W. Huff
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Frank Kennard
W. L. Kimbrough
Joseph Lazarus
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
Estill W. Noel
T. C. Pryse
S. C. Ray
J. L. Richardson
B. A. Roth
Dr. Lewis Ryans
R. Lee Stewart
Wm. A. Stewart
J. T. E. Stites
T. R. Stultz
J. M. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
A. M. Wash
J. S. Webb
Gladstone Wesley
R. E. Wilborn
V. M. Williamson
Dr. W. S. Yazell
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So the amendment was lost.

Mr. McLellen moved the previous question.

The Speaker stated: "Shall the main question now be ordered?"

Said question was decided in the affirmative.

Mr. Lawrence offered the following amendment:

By striking out the words "one hundred" in line 33, page 3, and insert in lieu thereof the word "fifty."

Said amendment was agreed to.

Mr. Lawrence offered the following amendment:

Amend House Bill No. 466, in Section 1, line 31, page 2 of the printed bill, by striking out the word "twenty-five" and substituting therefor the word "ten."

Said amendment was withdrawn.

Mr. Bryson offered the following amendment:

Amend House Bill 466, by striking out in Section 1, lines 53, 54 and 55.

Said amendment was withdrawn.

Mr. Skiles offered the following amendment:

Amend substitute to House Bill No. 466 by striking out in line 11, page 3, the word "ten" and substituting therefor the word "three."

Upon a division, the vote stood 44 for and 20 against said amendment.

So said amendment was adopted.

Mr. Skiles offered the following amendment:

Amend substitute to House Bill No. 466 by striking out in line 10, page 1, of said substitute the words "fifty cents" and substituting therefor the words "twenty-five cents."

Said amendment was withdrawn.

Mr. Meyers offered the following amendment:

Amend page 2, line 24, by striking out "fifty dollars" and insert in lieu thereof "five dollars."

Said amendment was disagreed to.

Mr. Kelly offered the following amendment:

Amend substitute to House Bill 466 by striking out lines 12, 13, 14, 15, 16 and 17, and lines 18 and 19.

Said amendment was disagreed to.

Mr. J. H. Thompson offered the following amendment:

Amend substitute House Bill 466: license for retailing cigarettes—strike out "fifty dollars" and insert therefor the words "twenty-five."

Said amendment was disagreed to.

Mr. Reynolds offered the following amendment:

Amend House Bill 466, in line 35, by striking out the words "ten dollars" and inserting in lieu thereof the words "twenty-five dollars."

Said amendment was agreed to.

Mr. Shannon offered the following amendment:

Amend substitute to House Bill 466 as follows: Soft Drinks—Bottling. On each establishment for the bottling of

proprietary and soft drinks, twenty-five dollars, in lieu of the language relating thereto in said substitute.

Said amendment was disagreed to.

Then the substitute as amended was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	Dr. Lewis Ryans
L. H. Ballard	R. O. Huntsman	W. P. Scott
H. H. Barnes	Henry Kaufman	E. E. Shannon
Jo F. Bosworth	W. L. Kimbrough	R. Lee Stewart
Rodney G. Bryson	Hebron Lawrence	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	T. R. Stultz
W. T. Carner	R. C. Marcum	C. B. Truesdell
J. F. Carr	I. S. Mason	John L. Trumbo
Charles M. Ciarlo	A. J. McCandless	Fred C. VanHoose
J. S. Cruse	R. L. McFarron	Daniel Vose
H. N. Dean	H. C. McLellen	A. M. Wash
J. B. Denues	Mack J. Morgan	J. S. Webb

J. M. Foster	T. C. Pryse	Gladstone Wesley
Dr. T. H. Gamblin	S. C. Ray	R. E. Wilborn
B. J. Geohringer	J. L. Richardson	V. M. Williamson
A. F. Hanberry	Sherman Robbins	Dr. W. S. Yazell
E. C. Hardin	Lee Rogers	—52
A. R. Hudson	B. A. Roth	

Those who voted in the negative were:

Lon Adams	Griffin Kelly	Frank L. Strange
S. M. Bennett	J. M. Knott	John W. Swope
W. M. Boling	Elmer Lusby	John B. Thomas
A. S. Cooper	Claude D. Minor	J. M. Thompson
B. L. Cox	John T. Murphy	J. H. Thompson
P. A. Day	Chas. A. Nelson	Dr. D. J. Travis
J. W. Geveden	T. P. Oliver	J. Wood Vance
Dr. W. L. Gossett	B. F. Reynolds	Geo. C. Waggoner
A. L. Hamilton	Chas. R. Scott	Dr. T. R. Welch
Dr. W. L. Haynes	Dr. B. F. Shields	W. G. Wheeler
D. J. Howard	H. G. Skiles	W. N. Winn
Robt. Humphreys	H. A. Spillman	—37
J. W. Johnson	J. T. E. Stites	

Resolved, That the title thereof be as amended by the substitute to said bill.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Waggoner moved that all Senate bills in the hands of the Rules Committee be read the first time and placed in the calendar.

Said motion was agreed to.

Said bills are as follows:

Senate Bill No. 11, entitled: An Act to create a commission for the purpose of making a survey of the educational systems of Kentucky supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

Senate Bill No. 201, entitled: An Act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which Presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this State, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

Senate Bill No. 250, entitled: An Act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per carload.

Senate Bill No. 140, entitled: An Act to require sign boards or index boards to be placed on the public highway in certain counties of this Commonwealth, and providing expenses therefor.

Senate Bill No. 199, entitled: An Act authorizing consolidated school districts and county boards of education to issue bonds for the purpose of providing funds for purchasing grounds and constructing buildings for school purposes.

Senate Bill No. 206, entitled: A bill providing for the establishment of an independent consolidated graded and high school.

Senate Bill No. 26, entitled: An Act providing the granting of scholarships at the Kentucky State University and the State Normal Schools to all persons who were engaged in the military or naval service of the United States during the war with Germany, and who were citizens of this State at the time of their enlistment; providing the requirements necessary to obtain same; and defining the rights and privileges to be given.

Senate Bill No. 249, entitled: An Act to repeal and reenact Section 1112, Kentucky Statutes, relating to change of venue in criminal cases, with an emergency thereto.

Senate Bill No. 166, entitled: An Act to provide physical education and training for all pupils in the common, graded, State Normal and all other public schools of Kentucky, supported wholly or in part by the State and prescribing the methods of carrying the same into effect.

Senate Bill No. 88, entitled: An Act to amend and reenact Sections 1469, 1506 and 1541, Kentucky Statutes (Carroll's 1915 Edition), relating to the compensation of officers of election and registration officers, and hours of election.

Senate Bill No. 80, entitled: An Act to repeal and reenact Section 495 of Chapter XIV of the Civil Code of Practice, of the State of Kentucky, Carroll's Edition 1919, relating to dower—sale of, and compensation for.

Senate Bill No. 204, entitled: An Act to amend, revise and re-enact Sections 3174, 3176, 3178, 3179 and 3181 of Kentucky Statutes, same being a part of Sub-division 8 of Chapter LXXXIX thereof.

Senate Bill No. 103, entitled: An Act to amend an Act entitled "An Act to establish an insurance and annuity fund for teachers in the public schools of cities of the second class in the State of Kentucky, and to regulate the collection, man-

agement and disbursement thereof,'' which Act is known as Section 3235-e, Carroll's Edition, Kentucky Statutes.

Senate Bill No. 72, entitled: An Act to amend an Act entitled ''An Act to establish a Board of Examiners for Trained Nurses and to regulate the practice of professional trained nursing in the State of Kentucky,'' approved March 13, 1914, and as amended by an Act approved March 24, 1916.

Senate Bill No. 200, entitled: An Act to amend Section 63 of the Kentucky Statutes, Carroll's Edition 1915, and Acts amendatory thereto, relating to the State Board of Health, by repealing, amending, and re-enacting Sections 2047 and 2053 of said Statutes, and by adding Sections creating other bureaus within said board, and by further defining the duties of said board.

Senate Bill No. 117, entitled: An Act to provide for special police judges in the trial of cases and violation of ordinances in cities of the fourth class when the regular police judge cannot act.

Senate Bill No. 125, entitled: An Act to amend and reenact Section 4042-a-12, Kentucky Statutes, Carroll's Edition. Vol. 3, 1918, relating to the manner of assessment of property for taxation and duties of Tax Commissioners.

Senate Bill No. 274, entitled: An Act to permit banks authorized to do business in Kentucky to act as fiduciaries.

Senate Bill No. 19, entitled: An Act to amend and reenact Section 2834, Carroll's Kentucky Statutes, Edition of 1915, being Section 71 of the Act entitled ''An Act for the Government of cities of the first class,'' approved July 1, 1893.

Senate Bill No. 289, entitled: An Act providing for and authorizing an appeal in all proceedings now pending in the county courts of any county of this Commonwealth, or that

may hereafter be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of the Commonwealth, or for the purpose of collecting the inheritance tax due by any estate.

Senate Bill No. 298 entitled: An Act to amend and reenact Section 1403 of the Kentucky Statutes, as amended by an Act of 1912.

Senate Bill No. 230, entitled: An Act to amend Section 3 of Chapter I of the Acts of the General Assembly of 1916, relating to the granting of free passes or free transportation by the common carriers of this Commonwealth.

Senate Bill No. 170, entitled: An Act relating to the collection of inheritance tax, requiring certain reports of county court clerks and imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax.

Senate Bill No. 164, entitled: An Act to prevent the spread of hog cholera and other diseases, regulating the business of disposing of the bodies of dead animals by the process of burying, burning or cooking; providing for the issuance of licenses to persons, firms or corporations, permitting them to follow such business; providing for the inspection of plants where such business is carried on; providing for the violation of any of its provisions.

Senate Bill No. 84, entitled: An Act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio River, belonging to or controlled by the State of Kentucky, and to regulate the catching of said shells and to have authority to co-operate with the United States Government in its propagation of mussels, and imposing penalties for violation of the provisions of this Act.

Senate Bill No. 153, entitled: An Act to repeal and reenact Chapter CLXVIII of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled "An Act making unlawful to buy, bargain, sell, loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation, or to harbor a person in the possession of or in the operation of an illicit or 'moonshine' still and providing a penalty for any violation of this act; and further fixing the burden of proof, and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned."

Senate Bill No. 29, entitled: An Act concerning dwelling houses in cities of the first class, and relating to their construction, reconstruction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control, and regulation, and providing penalties for violation of this Act.

Senate Bill No. 160, entitled: An Act to amend Section 334 of the Civil Code of Practice, sixth edition, 1919, edited by Hon. John D. Carroll.

Senate Bill No. 208, entitled: An Act consolidating the office of Jailer in this Commonwealth with that of Sheriff in all counties other than those containing cities of the first and second class.

Senate Bill No. 159, entitled: An Act increasing and fixing the salaries of district detectives to the Commonwealth's Attorney, stenographer to Commonwealth's Attorney, and supervisor of parents, in counties in this Commonwealth containing a population of more than two hundred thousand.

Senate Bill No. 47, entitled: An Act to amend and reenact section 1069 of the Kentucky Statutes prohibiting the county judge from practicing law in certain cases and providing certain duties of the county judge and county clerk.

Senate Bill No. 243, entitled: An Act for the protection of game birds and game animals; fixing open and closed seasons for the same; fixing the bag limit for birds and animals killed in open season; prohibiting the snaring of rabbits at any time; and providing penalty for the violation of this act.

Senate Bill No. 312, entitled: An Act to give credit to defendants on terms of imprisonment in the county jail who have been convicted in the circuit court and where confined in the county jail after an examining trial and unable to give bail.

Senate Bill No. 245, entitled: An Act to amend an Act entitled "An Act to prevent idleness in the Commonwealth of Kentucky during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of the State."

Senate Bill No. 345, entitled: An Act to amend and reenact subsection 1 of section 1020; subsection 4 of section 1020; subsection 6 of section 1020 and subsection 7 of section 1020, of the Kentucky Statutes, (Carroll's 1915 Edition) and to establish a Domestic Relations Division of the Chancery Branch of Circuit Courts having seven judges, this division to have jurisdiction of all actions or special proceedings involving divorce, alimony, or both, and of all cases and matters coming within the terms and provisions of an Act entitled: "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected, or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases and matters coming within the terms and provisions of an Act entitled, "An Act relating to children who are now or who may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and

matters coming within the terms and provisions of an Act entitled "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all Acts amending these said Acts.

Senate Bill No. 112, entitled: An Act to furnish to all the counties in Kentucky the various acts of the Kentucky Legislature, and the Journal of the House and Senate of said Legislature, and Kentucky reports where same have been destroyed by fire at a time when the courthouse of said county was destroyed by fire.

Senate Bill No. 70, entitled: An Act to amend and reenact Section twenty-eight hundred and ten (2810), Carroll's Kentucky Statutes, Edition of 1915, being section forty-eight (48) of an Act entitled "An Act for the government of cities of the first class," approved July 1st, 1893, as amended by an Act approved February 4th, 1894, and by an Act approved March 15, 1912.

Senate Bill No. 358, entitled: An Act authorizing the Governor to appoint a commissioner to go to England and accept and receive from the British Government the battle flag of the Kentucky troops captured by the British forces in the battle of the River Raisin, and to bring and deliver same to the Governor of this Commonwealth, and making an appropriation therefor.

Senate Bill No. 242, entitled: An Act prescribing the qualifications of deputy sheriffs, deputy constables and patrolmen.

Senate Bill No. 182, entitled: An Act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications, assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

Senate Bill No. 176, entitled: An Act repealing Section 4385-a, and Chapter CXXIII of the Acts of 1916 and re-enacting in lieu thereof an entire new chapter, relating to employees of the Superintendent of Public Instruction.

Senate Bill No. 333, entitled: An Act to amend and reenact Section 3105 of the Kentucky Statutes, 1915 Edition, relating to public improvements in cities of the second class.

Senate Bill No. 311, entitled: An Act to enable any city of the first class to provide for constructing, erecting, and equipping buildings and grounds of the college of arts and sciences of its municipal university.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Waggoner moved that all bills in the calendar be read the second time, and that the second reading be by their titles only.

Said motion was agreed to.

Said bills are as follows:

House Bill No. 512, entitled: An Act to amend and reenact section 4527, Kentucky Statutes, Carroll's 1918 Edition.

House Bill No. 516, entitled: An Act to repeal Chapter I, Acts of 1918, relating to issuance of free passes or transportation by railroad companies.

House Bill No. 482, entitled: An Act fixing the salary of the Deputy Insurance Commissioner.

House Bill No. 483, entitled: An Act to amend and reenact section 606, paragraph 1, of the Civil Code of Practice.

House Bill No. 538, entitled: An Act to amend and reenact sub-section 1 of section 1137 of Kentucky Statutes, Carroll's Edition, 1915.

Said bills were severally read the second time by their titles only and ordered to be placed in the orders of the day.

A message was received from the Senate announcing that it had passed the following Senate bills:

Senate Bill No. 141, entitled: An Act to amend and re-enact Sections 4282 and 4283 of Kentucky Statutes, Carroll's Edition of 1918.

Senate Bill No. 334, entitled: An Act to amend Section 4337 of Volume 2 of Carroll's 1915 Edition of the Kentucky Statutes.

Senate Bill No. 231, entitled: An Act requiring the teaching in the public schools of humane treatment to animals.

Senate Bill No. 155, entitled: An Act to repeal, amend and re-enact section 1847, Kentucky Statutes, Carroll's Edition, 1915, relating to Commissioners to constitute Fiscal Courts, and providing for special election therefor.

Senate Bill No. 116, entitled: An Act repealing Section No. 2241 of Carroll's Kentucky Statutes relating to the drawing of grand and petit jurors, and re-enacting the same with certain modifications thereof.

Senate Bill No. 120, entitled: An Act to create the office of Comptroller as desired by the voters of the various cities, districts and counties of this Commonwealth, providing for his powers, duties, responsibilities and compensation, and penalties for the violation of the provisions hereof by the Comptroller or other persons.

Ordered that said bills be printed and referred to the Committee on Rules.

A message was received from the Senate announcing that it had passed House Bill No. 405.

Ordered that said bill be enrolled.

Also that the Senate had passed House Bill No. 476, with sundry amendments thereto.

A message was received from the Senate announcing that it had passed Senate Bill No. 364, entitled: An Act relating to the levy and assessment of taxes and providing the manner of assessment and collection of taxes in all schools in the Commonwealth maintained, operated or conducted under any charter granted by this Commonwealth.

Ordered that said bill be printed and referred to the Committee on Rules.

Also that the Senate had passed House Bill No. 424, with sundry amendments thereto.

Mr. Waggoner moved that upon the completion of the report of the Committee on Enrollments, the House shall take a recess until 7:30 P. M.

Said motion was agreed to.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz:

House Bill No. 159, entitled: An Act to repeal and reenact Section 2711, subsections a-5 and 2-54, Chapter LXXXVI Carroll's 1915 Edition Kentucky Statutes, volume 3, being subsections 5 and 54 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled "An Act to provide for the organization, armament, equipment, discipline and government of the militia."

House Bill No. 1, entitled: An Act to amend and reenact Section 1780, Kentucky Statutes, Carroll's Edition, 1915, relating to farm fences.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate. After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a bill of the following titles, viz:

House Bill No. 60, entitled: An Act relating to roads and bridges; creating the Department of State Roads and Highways, providing for officers to administer it and prescribing the powers and duties of such officers; fixing the salary of the State Highway Engineer and prescribing the amount which may be expended by said department; prescribing laws governing said department and the officers therein; accepting the provisions of the Federal law providing that the United States shall assist in the construction of rural post roads and making appropriation for co-operative work with the United States Government; providing for the payment of the State's part of the construction of State Aid roads under the present law; providing for the acceptance of and making binding gifts and donations; establishing and designating a primary system of State highways and providing for their construction and maintenance; providing for the obtaining of

rights of way and naming cities and towns from which construction shall commence; and repealing subsections 1, 2, 4, 5, 6 and 7 of section 4356-t, Kentucky Statutes, Edition 1915; also repealing section 4356-u and subsections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, of section 4356-x, Kentucky Statutes, Edition 1915, and the supplement to said edition known as volume 3, repealing any other act or acts in conflict herewith.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House and which had been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled resolutions of the following titles, viz:

House Resolution No. 40, entitled: Resolution providing for maps of the base-line system of roads, and appropriating funds therefor.

House Resolution No. 39, entitled: Resolution commending citizens of Frankfort for kindness and courtesies extended to members of 1920 session of General Assembly.

House Resolution No. 27, entitled: Resolution providing for a Children's Code Commission.

House Resolution No. 37, entitled: Resolution for the benefit of the ministers of the Gospel of Frankfort.

Whereupon all other business was suspended, said resolutions were severally read at length and compared in open House, and were found to be correctly enrolled.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said resolutions.

Ordered, that the Enrolling Clerk deliver said resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolutions which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled resolutions which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Then the House, at 4:55 P. M., recessed until 7:30 P. M.

EVENING SESSION.

TUESDAY, MARCH 9, 1920.

The House reconvened at 7:30 o'clock P. M.

Mr. R. Lee Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 309. An Act providing for the forfeiture of oil and gas leases for non-payment of any rental at the time the same shall become due.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

If the owner of any oil or gas lease shall fail to pay to the person entitled thereto, or his duly authorized agent, any rental provided for in such lease, at the time the same shall become due under the provisions of such lease, then such lease shall immediately terminate and become absolutely void, without the necessity of suit for the cancellation thereof.

The Committee offered the following substitute, viz.:

An Act to standardize, validate, define and enforce contracts and leases for lands leased for oil and gas purposes and to provide for how and when off-set wells shall be drilled.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whenever, in any lease of lands for oil and gas purposes, it is provided in substance that actual drilling or development may be postponed by the payment or tender of rentals on or before the date fixed in said lease for such payment or tender, if the lessee or assignee of said lessee shall fail to pay or tender said rents on or before the date stipulated in

the lease, or contract to pay, then said lease or contract shall be void, unless the lessor thereafter, and before executing a new lease or contract, shall accept said rentals.

§ 2. That all valid, existing or future contracts and leases for oil and gas rights upon and under the lands of this Commonwealth, wherein by their terms a rental clause is provided in event of failure to drill for oil or gas within a given period, are hereby validated and declared to be, and shall be, construed by the Courts of this Commonwealth enforcible and binding contracts according to the terms thereof between the parties so long as the rentals therein provided shall be paid or tendered at and as provided by their terms during the period of said lease and contract.

§ 3. That the drilling of one non-productive well shall be sufficient consideration for the discharge of rentals for holders of said contract and lease for a period of twelve months after its completion, and at the expiration of which time another well shall be commenced or rentals renewed as per said lease or contract, and if lessor fails to commence a well or renew payments of rentals said lease shall automatically expire and become null and void.

§ 4. That in the event of oil and gas being discovered in paying quantities on an adjoining leasehold and the products therefrom being taken out of the ground and marketed and said well is within two hundred feet of another lessor's property line, then within three months after written notice has been given lessee to the effect that such oil or gas has commenced to be transported off and marketed from the said adjoining premises the lessee or lessees of the land lying within two hundred feet of the said wells shall begin to drill an offset well to each of such wells so located, provided said offset wells to be drilled are not less than five hundred feet of each other, and upon his failure to so commence said offset well and complete same with diligence the said contract and lease shall automatically expire and become null and void. Provided this shall not apply to leases that are being operated, or on which wells are being drilled.

§ 5. All Acts and parts of Acts in conflict with this act are hereby repealed.

§ 6. Whereas, the uncertainity as to the true intent and meaning of oil and gas leases, within this State, has not been definitely construed by the Courts, and their uncertainity is destroying development of the industry and driving capital from the State, an emergency is hereby declared to exist, and this act shall go into effect from and after its passage and approval by the Governor.

Mr. Welch offered the following amendment to the substitute, viz.:

Amend substitute for House Bill 309, Section 4, line 1, by striking out after the word "oil" the word "and" and inserting in lieu thereof the word "or."

Said amendment to the substitute was adopted.

Mr. Skiles offered the following amendment to the substitute, viz.:

Amend substitute to House Bill 309, by striking out the words "twelve" in line 3, Section 3, page 2, and substitute in lieu the words "twenty-four."

After some discussion Mr. Skiles by unanimous consent withdrew his amendment.

Then the substitute as amended by Mr. Welch was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	R. C. Marcum	J. T. E. Stites
L. H. Ballard	I. S. Mason	T. R. Stultz
S. M. Bennett	R. L. McFarron	John W. Swope
Rodney G. Bryson	H. C. McLellen	John B. Thomas
W. T. Carner	Harry J. Meyers	J. M. Thompson
J. F. Carr	John T. Murphy	Dr. D. J. Travis
H. N. Dean	Estill W. Neel	C. B. Truesdell
J. M. Foster	T. P. Oliver	John L. Trumbo
Dr. T. H. Gamblin	T. C. Pryse	J. Wood Vance
B. J. Geohringer	S. C. Ray	Fred C. VanHoose
A. L. Hamilton	B. F. Reynolds	Daniel Vose
A. F. Hanberry	J. L. Richardson	J. S. Webb
E. C. Hardin	Sherman Robbins	Dr. T. R. Welch
Adam W. Huff	Lee Rogers	Gladstone Wesley
Robt. Humphreys	B. A. Roth	W. G. Wheeler
R. O. Huntsman	Dr. Lewis Ryans	R. E. Wilborn
J. W. Johnson	Chas. R. Scott	V. M. Williamson
Henry Kaufman	W. P. Scott	W. N. Winn
W. L. Kimbrough	H. G. Skiles	Dr. W. S. Yazell
J. M. Knott	R. Lee Stewart	—61
Joseph Lazarus	Wm. A. Stewart	

Those who voted in the negative were:

H. C. Duffy	Dr. S. D. Laughlin	Chas. A. Nelson
A. R. Hudson	Hebron Lawrence	—7
Griffin Kelly	A. J. McCandless	

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 384. An Act to amend the first paragraph of section 331-a-4, Kentucky Statutes, Carroll's Edition, 1915, relating to the granting of certificates for the employment of children.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The first paragraph of section 331-a-4 of Kentucky Statutes, Carroll's Edition, 1918, is hereby amended so that when amended, it shall read as follows:

"The persons authorized to issue employment certificates, age certificate or permit under the authority of this act shall issue such certificates to any minor making applications therefor notwithstanding such applicants may have passed the age of sixteen years, and only upon the application in person of the child desiring employment, accompanied by its parent, guardian or custodian. and after having received, examined and approved, in addition to the school record of such child, properly filled out and signed, as provided herein below, and a certificate signed by a public health officer or physician, appointed by the board of education stating that such child has been examined by him and that in his opinion the child is fourteen years of age or upwards, and has reached the normal development of a child of that age, and is in good health and is physically fit for employment at the work which he intends to do, documentary evidence of age, showing that the child is fourteen years of age, or over, which evidence shall consist

of one of the following named proofs of age, to be required in the order herein designated as follows:

(a) A birth certificate or attested transcript thereof issued by a registrar of vital statistics or other officer charged wih the duty of recording births.

(b) A record of baptism or a certificate or attested transcript showing the date of birth and place of baptism of the child.

(c) A bona fide contemporary record of the date and place of the child's birth kept in the Bible in which the records of the births in the family of the child are preserved, or other satisfactory documentary evidence, such as a passport showing the age of the child, a certificate on arrival in the United States, issued by the United States immigration officers and showing the age of the child, or a life insurance policy; provided that such other satisfactory documentary evidence has been in existence at least one year prior to the time it is offered in evidence; and provided further, that a school record or a parent's, guardian's or custodian's affidavit, certificate or other written statement of age shall not be accepted except as specified in paragraph (d).

(d) A certificate signed by a public health physician or a public school physician, specifying what in the opinion of such physician is the physical age of the child; such certificate shall show the height and weight of the child and other facts concerning its physical developments revealed by such examination and upon which the opinion of the physician as to the physical age of the child is based. A parent's, guardian's or custodian's certificate or affidavit, as to the age of the child and a record of age as given on the register of the school which the child first attended, or in the school census, if obtainable, shall be submitted with the physician's certificate showing physical age."

The Committee offered the following bill as a substitute for House Bill 384, viz.:

An Act to amend the first paragraph of Section 331-a-4, Kentucky Statutes, Carroll's Edition, 1918, relating to the granting of certificates for the employment of children.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The first paragraph of Section 331-a-4 of Kentucky Statutes, Carroll's Edition, 1918, is hereby amended so that when amended, it shall read as follows:

"The persons authorized to issue employment certificates, age certificate or permit under the authority of this act shall issue such certificates to any minor making applications therefor notwithstanding such applicants may have passed the age of sixteen years, and in cases of children under sixteen years of age, only upon the application in person of the child desiring employment, accompanied by its parent, guardian or custodian, and after having received, examined and approved in addition to the school record of such child properly filled out and signed, as provided herein below, and a certificate signed by a public health officer or a physician, appointed by the board of education stating that such child has been examined by him and that in his opinion the child is fourteen years of age or upwards and has reached the normal development of a child of that age and is in good health and is physically fit for employment at the work which he intends to do, documentary evidence of age showing that the child is fourteen years of age or over, which evidence shall consist of one of the following named proofs of age, to be required in the order herein designated as follows:

(a) A birth certificate or attested transcript thereof issued by a registrar of vital statistics or other officer charged with the duty of recording births.

(b) A record of baptism or a certificate or attested transcript showing the date of birth and place of baptism of the child.

(c) A bona fide contemporary record of the date and place of the child's birth kept in the Bible in which the records of the births in the family of the child are preserved, or other satisfactory documentary evidence, such as a passport showing the age of the child, a certificate on arrival in the United States, issued by the United States immigration officers and showing the age of the child, or a life insurance policy; provided that such other satisfactory documentary evidence has

been in existence at least one year prior to the time it is offered in evidence; and provided further that a school record or a parent's, guardian's or custodian's affidavit, certificate, or other written statement of age shall not be accepted except as specified in paragraph (d).

(d) A certificate signed by a public health physician or a public school physician specifying what in the opinion of such physician is the physical age of the child; such certificate shall show the height and weight of the child and other facts concerning its physical development revealed by such examination and upon which the opinion of the physician as to the physical age of the child is based. A parent's, guardian's or custodian's certificate, or affidavit, as to the age of the child and a record of age as given on the register of the school which the child first attended, or in the school census, if obtainable, shall be submitted with the physician's certificates showing physical age.

The officer issuing the age certificate for a child shall require the evidence of age specified in subdivision (a) in preference to that specified in any subsequent subdivision and shall not accept the evidence of age permitted by any subsequent subdivision, unless he shall receive and file evidence that the evidence of age required by the preceding subdivision or subdivisions can not be obtained.

Such application must be accompanied by the written statement of the person, firm or corporation into whose service the child is about to enter that he intends to employ the child, which statement shall give the nature of the occupation for which the child is to be employed.

Any person who knowingly makes a false statement, or presents false evidence in or in relation to any such certificates or applications therefor shall be amenable to prosecution and to the fine or imprisonment, as provided in Section 331-a-16 of this Act.

No employer shall be prosecuted under the provisions of this act for any violation, if such employer has in good faith procured at the time of employing such child, and has since in good faith relied upon and kept on file such age certificates, employment certificates or permit, issued in such form and

under conditions and by such persons as prescribed in this act, showing that the child so employed was of such age as is not prohibited by this act.

The superintendent of schools in any city, town, county, or district, wherever there is one, and where there is none, then the county superintendent shall between the first and tenth days of each month transmit to the office of the labor inspector a report, which report shall give (1) the name of each child to whom a certificate has been issued in the preceding month, together with the name and address of the establishment where such child was to be employed; and (2) the name of each child to whom a certificate has been denied in the preceding month, together with the ground of such denial. A refusal or failure to transmit such report by any person charged under this section with the duty of transmitting same to the labor inspector, shall constitute a misdemeanor, punishable by a fine of not more than twenty-five dollars nor less than five dollars, to be disposed of as provided in Section 331-a-16 of this Act.

Whenever an inspector duly authorized under this act shall find that the age of a child employed in any mill, cannery, workshop, factory, manufacturing establishment, mine, or quarry as given on a certificate is incorrect, or that the time record is not kept in accordance with the provisions of this act, he shall notify the child, the employer and the issuing officer that the certificate or the acceptance of a State certificate for the purposes of this act is suspended and indicate such suspension on the certificate or certificates.

A statement of the facts for which the suspension was made shall be forwarded by the inspector to the Commissioner of Labor, or such person as he my designate, who will either (a) revoke or withdraw the certificate or the acceptance of the certificate, or (b) veto the suspension as in his judgment the facts of the case warrant. Due notice shall be sent to the child's parent, guardian, or custodian, to the employer, and to the issuing officer of the action taken in regard to a suspended certificate.

If the suspension of a certificate be vetoed a new certificate shall be issued upon the surrender of the one suspended. If for any reason such new certificate can not be obtained

from a State issuing officer the notice of the veto if attached to a suspended certificate shall be recognized and accepted as meeting the requirements of this act. .

Said substitute was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	Wm. A. Stewart
L. H. Ballard	R. O. Huntsman	T. R. Stultz
Rodney G. Bryson	Henry Kaufman	John W. Swope
Roy J. Cain	Hebron Lawrence	C. B. Truesdell
W. T. Carner	Joseph Lazarus	John L. Trumbo
J. F. Carr	R. C. Marcum	J. Wood Vance
Charles M. Ciarlo	I. S. Mason	Daniel Vose
J. S. Cruse	H. C. McLellen	A. M. Wash
H. N. Dean	Estill W. Neel	J. S. Webb
Dr. T. H. Gamblin	S. C. Ray	Gladstone Wesley
B. J. Geohringer	J. L. Richardson	R. E. Wilborn
J. W. Geveden	Sherman Robbins	W. N. Winn
A. F. Hanberry	B. A. Roth	Dr. W. S. Yazell
A. R. Hudson	W. P. Scott	—41

Those who voted in the negative were:

S. M. Bennett	Elmer Lusby	John B. Thomas
Dr. W. L. Gossett	A. J. McCandless	J. M. Thompson
Robt. Humphreys	Chas. A. Nelson	Dr. T. R. Welch
Griffin Kelly	B. F. Reynolds	W. G. Wheeler
W. L. Kimbrough	Chas. R. Scott	—16
Dr. S. D. Laughlin	H. G. Skiles	

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 468. An Act to amend and re-enact section 2 of an act approved March 17th, 1914, entitled, "An Act to further regulate the admission of inmates of the House of Reform."

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2 of an act approved March 17th, 1914, entitled, "An Act to further regulate the admission of inmates to the House of Reform," being Chapter XXVI of the Acts of 1916, be amended and re-enacted so that said section will read as follows:

When any child over ten years of age and under sixteen years of age shall be sentenced to, and confined in, the House of Reform, the expense of conveying said child to the House of Reform shall be paid by the county from which sent, and said county shall pay for the maintenance of such child such

reasonable sum as may be fixed by the State Board of Control or any board which may have succeeded to its powers and duties, the sum so fixed to be based upon the per capita cost of maintaining and operating the institution, which sum shall be payable into the State Treasury in monthly installments at the end of each month. It shall be the duty of the county judge on the last day of each month, by written order, to direct the treasurer of the county, or the person acting as treasurer, to forward to the Auditor of Public Accounts the amount due under the provisions of the act. If any county shall make default in payment of any sum due under the provisions of this act, the Auditor may institute suit against such county for the recovery of the amount due in the Franklin circuit court. The provisions of this section shall not apply when the child so sentenced has been convicted of a felony.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	W. L. Kimbrough	R. Lee Stewart
Jo F. Bosworth	Joseph Lazarus	Wm. A. Stewart
Roy J. Cain	R. C. Marcum	J. T. E. Stites

W. T. Carner	I. S. Mason	T. R. Stultz
J. F. Carr	R. L. McFarron	John B. Thomas
H. N. Dean	H. C. McLellen	Dr. D. J. Travis
J. M. Foster	Claude D. Minor	John L. Trumbo
Dr. T. H. Gamblin	Estill W. Neel	J. Wood Vance
B. J. Geohringer	T. P. Oliver	Daniel Vose
A. L. Hamilton	T. C. Pryse	A. M. Wash
A. F. Hanberry	J. L. Richardson	J. S. Webb
Adam W. Huff	Sherman Robbins	Gladstone Wesley
R. O. Huntsman	Lee Rogers	R. E. Wilborn
J. W. Johnson	B. A. Roth	W. N. Winn
Henry Kaufman	Dr. B. F. Shields	—44

Those who voted in the negative were:

Lon Adams	Dr. W. L. Gossett	Chas. A. Nelson
L. H. Ballard	E. C. Hardin	B. F. Reynolds
S. M. Bennett	Robt. Humphreys	Chas. R. Scott
Rodney G. Bryson	J. M. Knott	W. P. Scott
Charles M. Ciarlo	Dr. S. D. Laughlin	H. G. Skiles
J. S. Cruse	Hebron Lawrence	John W. Swope
P. A. Day	Elmer Lusby	J. M. Thompson
H. C. Duffy	A. J. McCandless	Dr. T. R. Welch
		—24

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 464. An Act to amend and re-enact Subsections 14 and 29 of Section 217-a of the Kentucky Statutes, being Sections 14 and 29 of Chapter XVIII of the Acts of 1906,

as amended by Chapter XXVIII of the Acts of 1908 relating to the amount to be charged and recovered for the board of pay patients at the several charitable institutions maintained by the State.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sub-section 14 of Section 217-a of the Kentucky Statutes, being Section 14 of Chapter XVIII of the Acts of 1906, as amended by Chapter XXVIII of the Acts of 1908, be amended and re-enacted so that said sub-section will read as follows:

"Where the patients who have been, or may be, supported in any of the institutions embraced in the provisions of this act have, or shall acquire estates which can be subject to debt, the Board of Control or any board which may have succeeded to its powers and duties is authorized and directed in every such case to sue for in the name of such institution and recover the amount of such patient's board at the rate fixed by the rules and regulations of the board or so much thereof as such estate will suffice to pay for the time they shall have been respectively kept and maintained therein, and not otherwise paid for, and by proper proceedings to subject their estates, respectively, to payment thereof; and when the husband, wife or parent of any such patient, who has been or may be supported in either of said institutions, shall have an estate sufficient for the support of such patient in addition to the support of any other who may be dependent on such husband or parent, the board is authorized and directed in like manner to sue for and recover from such husband the amount of his wife's board, and from such parent the amount of his or her child's board at the rate aforesaid, for the time they shall have been supported by such institution. The net sums realized in such suits shall be paid over to the State Auditor and covered into the State Treasury. In case of failure of suits, the expense thereof shall be certified by the chairman of the Board of Control or any board which may have succeeded to its powers and

duties to the State Auditor, who shall provide for its payment out of the State Treasury. And the said Board of Control or any board which may have succeeded to its powers and duties shall have the power to employ counsel and to institute or defend such actions as in their judgment may be necessary or proper to carry into effect the purpose of this act.

§ 2. That Sub-section 29 of Section 217-a of the Kentucky Statutes, being Section 29 of Chapter XVIII of the Acts of 1906 as amended by Chapter XXVIII of the Acts of 1908 be amended and re-enacted so that said sub-section will read as follows:

"Under no circumstances shall it be permitted that, by the reception of pay patients from other states, the asylum be so crowded that any delay shall be incurred in the immediate reception of patients resident in this Commonwealth, either paying or pauper, and no person who has not been found to be insane by regular inquest shall be received into either asylum. Nor shall any patient be discharged as cured unless by the authority of the superintendent. Any cured patient who was admitted to the asylum while in custody of the law upon a criminal charge, shall be delivered to the keeper of the penitentiary or to the jailer of the county whence he came, as the case may require. A cured pauper, before being discharged, shall have a good suit of clothes and be furnished with money enough to pay his traveling expenses back home, not exceeding twenty dollars. The Board of Control or any board which may have succeeded to its powers and duties shall charge for the board of pay patients such reasonable sum as the board may have fixed by its rules and regulations, having due regard to the cost of maintaining and operating the institution, but the superintendent may be permitted to charge the committee or friend of a paying patient an additional amount not exceeding five dollars per week for special attention."

§ 3. All acts and parts of acts in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Joseph Lazarus	R. Lee Stewart
Roy J. Cain	R. C. Marcum	Wm. A. Stewart
W. T. Carner	I S. Mason	T. R. Stultz
J. F. Carr	A. J. McCandless	John W. Swope
Charles M. Ciarlo	R. L. McFarron	J. M. Thompson
J. S. Cruse	H. C. McLellen	Dr. D. J. Travis
H. N. Dean	John T. Murphy	John L. Trumbo
J. M. Foster	Estill W. Neel	J. Wood Vance
Dr. T. H. Gamblin	T. P. Oliver	Fred C. VanHoose
A. L. Hamilton	T. C. Pryse	Daniel Vose
A. F. Hanberry	B. F. Reynolds	A. M. Wash
E. C. Hardin	J. L. Richardson	Gladstone Wesley
Adam W. Huff	Lee Rogers	V. M. Williamson
R. O. Huntsman	B. A. Roth	W. N. Winn
Henry Kaufman	W. P. Scott	Dr. W. S. Yazell
W. L. Kimbrough	Dr. B. F. Shields	—49
Dr. S. D. Laughlin	H. G. Skiles	

Those who voted in the negative were:

Lon Adams	J. W. Geveden	Elmer Lusby
S. M. Bennett	Dr. W. L. Gossett	Chas. A. Nelson
Rodney G. Bryson	Robt. Humphreys	Chas. R. Scott
P. A. Day	Griffin Kelly	Dr. T. R. Welch
		—12

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 449. An Act to render void any provision in a will that any beneficiary, legatee or devisee who may contest the provisions of the said will shall forfeit his legacy or bequest, devise or benefit under such will or that the same should otherwise be affected by such contest.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Any provision in any will hereafter probated which provides that a beneficiary, legatee or devisee shall forfeit his legacy, bequest, devise or benefit under said will, in whole or in part or that the terms of the legacy, bequest, devise or benefit as provided in such will shall be altered, changed or amended in the event that such beneficiary, legatee or devisee shall bring a suit contesting the validity of the said will or shall oppose the probate thereof originally or by appeal, shall be and the same is now declared to be null and void and of no effect whatsoever.

Ordered, that said bill be read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	Dr. Lewis Ryans
Sidney Alfrey	Henry Kaufman	Chas. R. Scott
L. H. Ballard	Griffin Kelly	W. P. Scott
S. M. Bennett	Dr. S. D. Laughlin	H. G. Skiles
Roy J. Cain	Hebron Lawrence	R. Lee Stewart
W. T. Carner	Joseph Lazarus	Wm. A. Stewart
J. F. Carr	R. C. Marcum	J. T. E. Stites
J. S. Cruse	I. S. Mason	T. R. Stultz
H. N. Dean	A. J. McCandless	John W. Swope
H. C. Duffy	H. C. McLellen	C. B. Truesdell
J. M. Foster	Claude D. Minor	John L. Trumbo
Dr. T. H. Gamblin	John T. Murphy	J. Wood Vance
B. J. Geohringer	Estill W. Neel	Fred C. VanHoose
J. W. Geveden	Chas. A. Nelson	Daniel Vose
Dr. W. L. Gossett	T. C. Pryse	A. M. Wash
A. L. Hamilton	B. F. Reynolds	J. S. Webb
A. F. Hanberry	J. L. Richardson	Gladstone Wesley
Adam W. Huff	Sherman Robbins	R. E. Wilborn
Robt. Humphreys	Lee Rogers	V. M. Williamson
R. O. Huntsman	B. A. Roth	—59

Those who voted in the negative were:

Rodney G. Bryson	J. M. Knott	Dr. T. R. Welch
W. L. Kimbrough		—4

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 444. An Act requiring all foreign corporations, except foreign insurance companies, and except foreign corporations of a purely charitable, social, fraternal, benevolent and religious nature, and not operated for profit, to file with the Secretary of State, at Frankfort, Kentucky, a certified copy of its articles of incorporation, and annually a sworn statement of its assets, liabilities, amount of capital stock paid up and issued, the location of its place of business in this Commonwealth and the names of its agents upon whom process can be served, and any amendments to its articles of incorporation; and requiring the payment of an annual fee of ten dollars for such statements so filed; and fixing the penalty of doing business without having first filed said statement.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no foreign corporation, except foreign insurance companies, and except foreign corporations of a purely charitable, social, fraternal, benevolent and religious nature, and not operated for profit, shall engage in business in this Commonwealth until they shall have first filed with the Secretary of State, at Frankfort, Kentucky, a certified copy of the articles of incorporation, together with a statement, subscribed and sworn to by its president and secretary, showing its assets, liabilities, the amount of capital stock paid up and issued, the location of its place or places of business in this Commonwealth, and the name or names of its agent or agents thereat upon whom process can be served.

§ 2. Said statement shall be made within thirty days after this act becomes a law, and annually on or before the first day of January of each year thereafter; provided, how-

ever, that it shall not be necessary, after the first filing of the statement required of any corporation by this act, to thereafter file a certified copy of its articles of incorporation, unless same shall have been amended.

Any corporation, or any agent or employe of such corporation, who shall transact, carry on or conduct any business in this state, without having first complied with the provisions of this act, shall be severally guilty of a misdemeanor and fined not less than one hundred nor more than one thousand dollars for each offense, and no contract made by such corporation, or any of its agents, while engaged in business in violation of the provisions of this section, shall be enforceable by such corporation so in default.

At the time of filing said statement, as provided for in this act, a filing fee of twenty-five dollars shall be paid by such corporation to the Secretary of State, which fee shall be by him paid over to the State Treasurer.

§ 3. Nothing in this act shall be construed to exempt the corporations affected by this act from the payment of the annual license tax provided for in section 4189-a, Kentucky Statutes, Carroll's 1918 Edition.

Ordered, that said bill be read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Dr. B. F. Shields
Sidney Alfrey	W. L. Kimbrough	H. G. Skiles
L. H. Ballard	Dr. S. D. Laughlin	R. Lee Stewart
Rodney G. Bryson	Hebron Lawrence	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	J. T. E. Stites
W. T. Carner	Elmer Lusby	T. R. Stultz
J. F. Carr	R. C. Marcum	John W. Swope
Charles M. Ciarlo	I. S. Mason	John B. Thomas
J. S. Cruse	A. J. McCandless	Dr. D. J. Travis
H. N. Dean	R. L. McFarron	C. B. Truesdell
J B. Denues	H. C. McLellen	John L. Trumbo
J. M. Foster	Claude D. Minor	J. Wood Vance
Dr. T. H. Gamblin	Estill W. Neel	Fred C. VanHoose
B. J. Geohringer	Chas. A. Nelson	Daniel Vose
Dr. W. L. Gossett	T. C. Pryse	A. M. Wash
A. L. Hamilton	B. F. Reynolds	J. S. Webb
A. F. Hanberry	Sherman Robbins	Gladstone Wesley
E. C. Hardin	Lee Rogers	R. E. Wilborn
Adam W. Huff	B. A. Roth	W. N. Winn
Robt. Humphreys	Dr. Lewis Ryans	Dr. W. S. Yazell
R. O. Huntsman	Chas. R. Scott	—64
J. W. Johnson	W. P. Scott	

Those who voted in the negative were:

J. M. Thompson —1

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Richardson moved to adjourn.

Said motion was lost.

Mr. Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 408. An Act providing for a State Tuberculosis Sanitarium, making appropriations therefor, providing for state ownership of lands acquired and providing regulations for the control of such institution and for the prevention and relief of tuberculosis.

Whereas, Hazelwood Sanitarium, owned and conducted by the Louisville Anti-Tuberculosis Association, situated near the city of Louisville, in Jefferson county, Kentucky, consisting of fifty-two acres of land and buildings and appurtenances, worth approximately $150,000.00, has been offered to the Commonwealth of Kentucky; and,

Whereas, the official records of the bureau of the census show that the death rate from tuberculosis in Kentucky is higher than in any other state; and,

Whereas, the official records of the Bureau of Vital Statistics of Kentucky show that between forty-five hundred and fifty-five hundred persons are dying each year from this disease, and that there are now between thirty and forty thousand persons in this state suffering from it; and,

Whereas, experts agree that it is necessary for the state to have an institution in which persons suffering with tuberculosis who are endangering the public health, may be segregated and where physicians, health officers, nurses and others may be trained to combat the disease; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated out of the general revenue of the state out of any funds not otherwise appropriated, for the benefit of the Bureau of Tuberculosis of the State Board of Health a sum not to exceed $20,000 annually for the maintenance and operation of a State Tuberculosis Sanitarium for completing and equipping the buildings now in use and the payment of debts against same, provided that none of this appropriation shall be paid by the State

Treasurer until the buildings and site now owned by the Louisville Anti-Tuberculosis Association shall have been conveyed to the Commonwealth of Kentucky, and the title to same has been inspected and approved by the Attorney General, and upon certification of said conveyance, and with the approval of the Governor of the Commonwealth, such of said appropriation as it may deem necessary shall be due and payable by the State Treasurer to the State Board of Health for the use of such institution, provided, further, that out of said appropriation the present bonded indebtedness of Hazelwood Sanitarium of $22,000.00, which the State Board of Health is hereby authorized to assume, shall be paid within two years from the enactment of this law.

§ 2. The State Board of Health shall appoint a superintendent of the State Tuberculosis Sanitarium, who shall have full authority to employ and discharge all officers and employes, but the number of officers and employes shall be prescribed by the board. No employer or employe of the State Board of Health shall recommend the employment of any person by said superintendent. The superintendent shall execute a bond for $10,000.00 to the Commonwealth of Kentucky for the proper execution of his duties, which bond shall be paid for out of this appropriation.

§ 3. The superintendent shall submit to the board annually, or oftener if required by the board, a budget of receipts and expenditures, and the board shall prepare an annual budget and submit same to the Governor.

§ 4. The superintendent shall encourage the employment of inmates in such a way as to contribute to their physical, mental and moral improvement, with authority to utilize the product of such labor in the maintenance of the institution.

§ 5. When any county or city board of health shall deem it necessary they may, with the approval of the county judge having jurisdiction, send any pauper having tuberculosis, who is considered dangerous to the public health, to said State Tuberculosis Sanitarium, provided that the fiscal court of said county shall in each such case pay for the maintenance, treatment and training of such person at a rate to be fixed by the State Board of Health not to exceed $15.00 per week.

§ 6. The superintendent may charge for board for paying patients and he may provide special accommodations for such patients at additional rates not to exceed $10.00 per week. The State Board of Health may receive patients from the United States Government and it is authorized to receive and administer gifts, devises or trusts and to expend them only in accordance with the provisions of the instruments making them.

§ 7. Whenever the number of patients sent to the State Tuberculosis Sanitarium is greater than can be accommodated and cared for in such institution, the superintendent thereof shall place such names on a waiting list and shall receive them in the order of their application as soon as accommodations can be provided.

§ 8. The cost of transportation for paying patients shall be paid by themselves or friends or relatives, and the cost of transferring paupers shall be paid by the fiscal court of the county from which they are committed.

§ 9. The State Board of Health is hereby authorized to make such rules and regulations for the conduct of the State Tuberculosis Sanitarium and for the prevention and relief of tuberculosis as are not inconsistent with law.

§ 10. Whereas, it is necessary, in order to secure the maintenance of an institution for the people of Kentucky who are suffering with tuberculosis, that this offer of transfer be accepted at once, an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval by the Governor.

Mr. McLellen offered the following amendment, viz.:

Amend House Bill No. 408 by inserting in Section 1, line 4, after the word "annually," the words "for the next two years."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams
S. M. Bennett
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
Charles M. Ciarlo
J. S. Cruse
P. A. Day
H. N. Dean
J. B. Denues
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. F. Hanberry
E. C. Hardin
A. R. Hudson
Adam W. Huff
Robt. Humphreys
R. O. Huntsman
Henry Kaufman
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Claude D. Minor
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
T. C. Pryse
S. C. Ray
B. F. Reynolds
J. L. Richardson
Sherman Robbins
B. A. Roth
Dr. Lewis Ryans
Chas. R. Scott
W. P. Scott
Dr. B. F. Shields
H. G. Skiles
R. Lee Stewart
J. T. E. Stites
T. R. Stultz
John W. Swope
John B. Thomas
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Daniel Vose
A. M. Wash
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
V. M. Williamson
W. N. Winn
Dr. W. S. Yazell

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Those who voted in the negative were:

J. W. Johnson —1

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 81. An Act to repeal section 3783, Kentucky Statutes, relating to county patrol and to re-enact the same so as to prescribe the duties, powers, salary and organization of county patrol in counties having a population of over 150,000 inhabitants.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3783 of the Kentucky Statutes, relating to the compensation of county patrol be repealed and re-enacted so as to read as follows, to-wit:

Section 3783. The county patrol in counties having more than 150,000 inhabitants shall be organized as follows, to-wit:

There shall be one chief of patrol, whose salary shall not exceed $125.00 per month, and such other subordinate officers as may be appointed by the county court, whose salary shall not exceed $110.00 per month each. The patrolmen shall receive a salary of not to exceed $100.00 per month each. These officers, in order to preserve the public peace, shall have the same power and authority to arrest, search and seize as sheriffs of counties and policemen in cities of the first class now have. They shall give their whole time to the public serv-

ice, and perform such duties as may be prescribed by the county court. They shall be paid monthly out of the county levy and the county court shall, by order fix the amount of their salary within the limits herein provided.

§ 2. This act to take effect as by law prescribed.

The Committee offered a substitute to said bill, which reads as follows, viz.:

An Act to amend and re-enact Section 3783 of the Kentucky Statutes, Carroll's Edition, 1915, relating to patrols.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3783 of Kentucky Statutes, Carroll's Edition, 1915, be and the same is hereby amended and re-enacted so that when amended and re-enacted the same will read as follows:

"Patrols shall each be paid by order of the county court out of the county levy, a sum not to exceed $1.00 for each ten hours they may have been purposely engaged in the performance of their duties, except that in counties having a population of over one hundred and fifty thousand inhabitants they shall be paid, not exceeding the sum of $1,200 per annum, payable in equal monthly installments out of the county levy, and the county court in such counties having a population of over one hundred and fifty thousand inhabitants, may designate one of said county patrols as chief of the county patrolmen, who shall serve as such chief during the pleasure of the county court, and such chief shall be paid not exceeding the sum of $1,500 per annum out of the county levy, payable in equal monthly installments. The county court, shall by order, fix the amount of their salary within the limits herein provided. The county court with the approval of the fiscal court may designate one or more of said patrols as motorcycle patrols, who in the discretion of the fiscal court, may be provided with motorcycles, and the chief of the county patrolmen, in the discretion of the fiscal court, may be provided with an automobile.

At a court of claims for the county, the patrols shall present their claims for services specifying the number of hours each have been engaged and verified by the oath of the patrol upon which the court shall fix the amount to be paid.

Said patrols shall have the same right and same power to arrest, search and seize, as is now given by law to the sheriffs of this Commonwealth, and shall be subject to the orders of the county court.

Said substitute was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	W. L. Kimbrough	Dr. Lewis Ryans
L. H. Ballard	J. M. Knott	Chas. R. Scott
Rodney G. Bryson	Dr. S. D. Laughlin	W. P. Scott
Roy J. Cain	Hebron Lawrence	Dr. B. F. Shields
J. F. Carr	Joseph Lazarus	H. G. Skiles
J. S. Cruse	Elmer Lusby	R. Lee Stewart
P. A. Day	R. C. Marcum	W. A. Stewart
H. N. Dean	A. J. McCandless	John T. E. Stites

J. M. Foster	R. L. McFarron	T. R. Stultz
Dr. T. H. Gamblin	H. C. McLellen	C. B. Truesdell
B. J. Geohringer	Harry J. Meyers	John L. Trumbo
J. W. Geveden	Claude D. Minor	J. Wood Vance
A. L. Hamilton	John T. Murphy	Fred C. VanHoose
A. F. Hanberry	Estill W. Neel	Daniel Vose
E. C. Hardin	Chas. A. Nelson	A. M. Wash
A. R. Hudson	T. C. Pryse	Gladstone Wesley
Robt. Humphreys	S. C. Ray	W. G. Wheeler
R. O. Huntsman	B. F. Reynolds	R. E. Wilborn
J. W. Johnson	J. L. Richardson	W. N. Winn
Henry Kaufman	Lee Rogers	Dr. W. S. Yazell
Griffin Kelly	B. A. Roth	—62

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Stewart, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 429. An Act granting to women citizens the right to vote for presidential electors, and requiring officers to perform duties with reference thereto.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every female citizen of the United States of the age of twenty-one years, who has resided in the State one year, and in the county six months, and in the precinct in which she offers to vote sixty days next preceding the election, is a voter in said precinct and not elsewhere, in all elections of electors of President and Vice-President, and shall be en-

titled and allowed to vote in all such elections; but the following persons are excepted, and shall not have the right to vote:

(a) Persons convicted in any court of competent jurisdiction of treason, or felony, or bribery in an election or of such high misdemeanor as the General Assembly may declare, shall operate as an exclusion from the right of suffrage; but persons hereby excluded may be restored to their civil rights by executive pardon.

(b) Persons who, at the time of the election, are in confinement under the judgment of a court for some penal offense.

(c) Idiots and insane persons.

§ 2. Separate ballots shall be provided in each election precinct throughout the State for women in all elections of electors of President and Vice-President, which ballots shall be similar to ballots provided for male voters, and shall contain the names of candidates for presidential electors who are to be voted for, and the ballots cast by women voters shall be canvassed with and at the same time, other ballots cast for presidential electors are canvassed, and by the same officers.

Ordered, that said bill be read the third time.

Mr. Stewart moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Hebron Lawrence	R. Lee Stewart
Sidney Alfrey	Joseph Lazarus	W. A. Stewart
Roy J. Cain	R. C. Marcum	John T. E. Stites
J. F. Carr	I. S. Mason	T. R. Stultz
H. N. Dean	A. J. McCandless	John B. Thomas
Dr. T. H. Gamblin	R. L. McFarron	Dr. D. J. Travis
B. J. Geohringer	H. C. McLellen	C. B. Truesdell
J. W. Geveden	Harry J. Meyers	John L. Trumbo
Dr. W. L. Gossett	Claude D. Minor	J. Wood Vance
A. L. Hamilton	John T. Murphy	Daniel Vose
A. F. Hanberry	T. P. Oliver	A. M. Wash
E. C. Hardin	S. C. Ray	Dr. T. R. Welch
A. R. Hudson	J. L. Richardson	R. E. Wilborn
Adam W. Huff	Sherman Robbins	V. M. Williamson
R. O. Huntsman	B. A. Roth	W. N. Winn
Henry Kaufman	Dr. Lewis Ryans	Dr. W. S. Yazell
W. L. Kimbrough	Chas. R. Scott	—52
Dr. S. D. Laughlin	W. P. Scott	

Those who voted in the negative were:

Charles M. Ciarlo	Griffin Kelly	Lee Rogers
P. A. Day	J. M. Knott	H. G. Skiles
J. W. Johnson	Chas. A. Nelson	—8

Resolved, That the title thereof be as aforesaid.

Mr. Stewart moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had concurred in House Resolution No. 31: "A resolution providing a copy of the House and Senate Journals of the present session for the use of the Louisville Law Library, Louisville, Kentucky.

Ordered, that said resolution be enrolled.

Also that it had passed Senate Bill No. 144, "An Act to repeal Sub-section 8 of Section 231-d, and Sub-section 3 of Section 331-g, (etc. for full title see inside.)

Ordered, that said bill be printed and referred to the Committee on Rules.

By unanimous consent the following bills were introduced, ordered to be printed, and referred to the Committee on Rules:

By Mr. Huntsman:

House Bill No. 550. An Act to amend and re-enact Section 22 of Chapter LIV of the Acts of the 1918 Session of the General Assembly, relating to the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons.

By Mr. Huntsman:

House Bill No. 551. An Act providing compensation for injuries received by persons aiding, or assisting the civil or military authorities of this Commonwealth in resisting any mob, riot, or assault; and providing the manner of ascertaining the amount of such compensation and the payment thereof.

Mr. Stewart of the Committee on Rules, moved that the following bills be given their first reading: House Bills Nos. 310, 546, 490, 107, 478, 38, 541, and 522.

Said motion was agreed to.

Said bills have the following titles:

House Bill No. 310. "An Act to provide for the non-liability of common carriers of crude petroleum by pipe line, except in cases of such carrier disregarding an injunction; to

provide for making all persons, firms and corporations, interested in the subject matter, parties to such litigation; and to fix the burden of proof necessary to sustain an injunction against transportation or delivery."

House Bill No. 546. "An Act to amend and re-enact Sections 2740 and 2741 of Article 1, Chapter LXXXIX, Kentucky Statutes, Carroll's Revised 1918 Edition, relating to the classification of cities and towns."

House Bill No. 490. "An Act to regulate rates of toll over intrastate toll bridges."

House Bill No. 107. "An Act to prevent and stamp out veneral diseases, providing remedies against the spread of such disease, etc."

House Bill No. 478. "An Act for the benefit of the Louisville National Medical College (colored) of Louisville, Kentucky, a body corporate, created by an Act of the General Assembly of the Commonwealth of Kentucky, approved April 24, 1888, and appropriating the sum of ten thousand dollars for improvements and equipments of the Louisville National Medical College (colored), and the sum of five thousand dollars annually for the maintenance of the Louisville National Medical College (colored)."

House Bill No. 38. "An Act to create the office of State Inspector of plumbing, defining the duties of the office, fixing the compensation of the incumbent thereof, and fixing a penalty for the violation of any of the provisions of this Act."

House Bill No. 541. "An Act to amend and re-enact Subsection 2 of Section 1847 of the Kentucky Statutes."

House Bill No. 522. "An Act to provide for the registration of architects, engineers and surveyors; to regulate the practice of architecture, engineering and surveying as professions and to establish their relation to public works and the

surveying and platting of lands; to provide for a board of examiners for architects, engineers and surveyors."

Said bills were severally read the first time at length and ordered to be placed in the calendar.

At 10:00 o'clock P. M., the House adjourned.

WEDNESDAY, MARCH 10, 1920.

The House was called to order at 10:00 A. M.

The House was opened with prayer by Rev. F. F. Shannon, of the Baptist Church, Chicago, Illinois.

The roll-call to ascertain the presence of a quorum resulted as follows:

Lon Adams	J. W. Johnson	W. P. Scott
Sidney Alfrey	Henry Kaufman	E. E. Shannon
L. H. Ballard	Griffin Kelly	Dr. B. F. Shields
W. T. Beckham	Frank Kennard	H. G. Skiles
S. M. Bennett	W. L. Kimbrough	S. G. Smith
J. M. Billiter	J. M. Knott	R. Lee Stewart
W. M. Boling	Dr. S. D. Laughlin	W. A. Stewart
Rodney G. Bryson	Hebron Lawrence	John T. E. Stites
Roy J. Cain	Joseph Lazarus	Frank L. Strange
W. T. Carner	Rev. J. A. Lee	T. R. Stultz
J. F. Carr	Elmer Lusby	John W. Swope
Charles M. Ciarlo	I. S. Mason	John B. Thomas
A. S. Cooper	A. J. McCandless	J. Mack Thompson
B. L. Cox	R. L. McFarron	J. H. Thompson
J. S. Cruse	H. C. McLellen	Dr. D. J. Travis
P. A. Day	Harry J. Meyers	C. B. Truesdell
H. N. Dean	Claude D. Minor	John L. Trumbo
H. C. Duffy	Mack J. Morgan	Fred C. VanHoose

J. M. Foster	John T. Murphy	Daniel Vose
Dr. T. H. Gamblin	Estill W. Neel	A. M. Wash
B. J. Geohringer	Chas. A. Nelson	J. S. Webb
J. W. Geveden	T. P. Oliver	Dr. T. R. Welch
Dr. W. L. Gossett	S. C. Ray	Gladstone Wesley
A. L. Hamilton	B. F. Reynolds	R. E. Wilborn
A. F. Hanberry	J. L. Richardson	V. M. Williamson
E. C. Hardin	Sherman Robbins	W. N. Winn
A. R. Hudson	Lee Rogers	Dr. W. S. Yazell
Adam W. Huff	B. A. Roth	—
Robt. Humphreys	Dr. Lewis Ryans	Present.....87
R. O. Huntsman	Chas. R. Scott	

On motion of Mr. Lazarus, the reading of the Journal of Tuesday, March 9, 1920, was dispensed with and the Journal approved.

The following bills were sent to the Senate:

House Bills Nos. 429, 444, 449, 464, 468, 384, 408 and 309.

Mr. Duffy moved that House Bill No. 372, entitled An Act to provide revenue for common schools and public roads, be read the first time and placed in the calendar.

Mr. Neel moved to table the motion.

A roll-call was demanded by Messrs. Duffy and Murphy.

The yeas and nays being taken on the question to table said motion to read said bill the first time resulted as follows:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	S. G. Smith
H. H. Barnes	R. O. Huntsman	R. Lee Stewart
Rodney G. Bryson	Henry Kaufman	W. A. Stewart
Roy J. Cain	Frank Kennard	T. R. Stultz

W. T. Carner
J. F. Carr
Charles M. Ciarlo
A. S. Cooper
J. S. Cruse
H. N. Dean
J. B. Denues
Dr. T. H. Gamblin
B. J. Geohringer
Dr. W. L. Gossett
A. F. Hanberry
E. C. Hardin
Dr. W. L. Haynes
Joseph Lazarus
R. C. Marcum
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
Estill W. Neel
T. P. Oliver
T. C. Pryse
S. C. Ray
B. A. Roth
Dr. Lewis Ryans
J. Mack Thompson
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
A. M. Wash
J. S. Webb
Gladstone Wesley
R. E. Wilborn
V. M. Williamson
Dr. W. S. Yazell
—49

Those who voted in the negative were:

Lon Adams
L. H. Ballard
W. T. Beckham
S. M. Bennett
W. M. Boling
B. L. Cox
P. A. Day
H. C. Duffy
J. W. Geveden
A. L. Hamilton
D. J. Howard
A. R. Hudson
J. W. Johnson
Griffin Kelly
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Rev. J. A. Lee
Elmer Lusby
Claude D. Minor
Mack J. Morgan
John T. Murphy
Chas. A. Nelson
B. F. Reynolds
Sherman Robbins
Lee Rogers
Chas. R. Scott
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
H. A. Spillman
John T. E. Stites
Frank L. Strange
John W. Swope
John B. Thomas
J. H. Thompson
Dr. D. J. Travis
Dr. T. R. Welch
W. G. Wheeler
W. N. Winn
—41

So the motion was tabled.

Mr. Lazarus moved that the vote by which said motion was tabled be reconsidered and that that motion lie on the table.

This motion was agreed to.

Mr. Hudson moved that the rules be suspended and that the House take up for consideration House Resolution No. 41, entitled, A Joint Resolution providing for help for the enrolling clerks of the House and Senate.

Said motion was agreed to.

Said resolution reads as follows:

Whereas, it will necessitate the employment of additional aid by the Enrolling Clerks of the House and Senate in order to expedite the business; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Enrolling Clerks of the House and Senate are authorized and directed to employ all necessary assistants, who shall be entitled to twenty-five cents per page for all bills enrolled by them and the Clerks of the House and Senate are directed to issue their vouchers to the Auditor of Public Accounts who shall draw his warrant in their favor, for amounts certified by the respective clerks on itemized accounts rendered. Said amounts shall not include any charge by either of the Enrolling Clerks of the House or Senate for any work done by them.

§ 2. Provided, however, that not more than two hundred ($200) dollars shall be expended for this purpose, in either House.

§ 3. It being necessary to have the work herein provided for done at once, and the officers charged with the duty are not able to perform the volume of work personally, an emergency is declared and this resolution becomes in force and effect upon its adoption.

The yeas and nays being taken on the passage of said resolution resulted as follows:

Those who voted in the affirmative were:

Lon Adams	Robt. Humphreys	E. E. Shannon
Sidney Alfrey	J. W. Johnson	Dr. B. F. Shields
L. H. Ballard	Griffin Kelly	H. G. Skiles
H. H. Barnes	Dr. S. D. Laughlin	S. G. Smith
W. T. Beckham	Elmer Lusby	R. Lee Stewart
S. M. Bennett	R. C. Marcum	John T. E. Stites
J. F. Carr	I. S. Mason	T. R. Stultz
W. T. Carner	A. J. McCandless	John W. Swope
J. F. Carr	R. L. McFarron	John B. Thomas
A. S. Cooper	Harry J. Meyers	Dr. D. J. Travis
B. L. Cox	Claude D. Minor	C. B. Truesdell
J. S. Cruse	Mack J. Morgan	John L. Trumbo
P. A. Day	John T. Murphy	J. Wood Vance
H. N. Dean	Estill W. Neel	Fred C. VanHoose
J. M. Foster	Chas. A. Nelson	Daniel Vose
Dr. T. H. Gamblin	S. C. Ray	A. M. Wash
J. W. Geveden	B. F. Reynolds	Gladstone Wesley
Dr. W. L. Gossett	Sherman Robbins	W. G. Wheeler
A. F. Hanberry	Lee Rogers	W. N. Winn
E. C. Hardin	B. A. Roth	Dr. W. S. Yazell
A. R. Hudson	Dr. Lewis Ryans	—64
Adam W. Huff	W. P. Scott	

Those who voted in the negative were:

J. Mack Thompson —1

So said resolution was adopted.

Mr. Hudson moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Cooper moved that the House do not hold a night session tonight as was ordered on yesterday.

Said motion was agreed to.

Mr. Haynes moved that the vote by which the House decided to hold no night session tonight be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson moved to extend today's session indefinitely.

Said motion was agreed to.

Mr. Bryson moved that the House recess today at 12:15 P. M., until 1:30 P. M.

Said motion was agreed to.

Messrs. Waggoner and Holliday were granted indefinite leave of absence.

Hon. George S. Wilson, a former Speaker of the House of Representatives, was granted the privileges of the floor for today.

A message was received from the Senate announcing that it had passed the following Senate bills:

Senate Bill No. 362, entitled: An Act relating to the Clerk of the Court of Appeals, requiring him to make monthly reports under oath of all moneys received by him on account of his official duties or position from all sources, and to pay over to the Auditor the amounts so received; deputies allowed; and making provision for the salary of the Clerk of the Court of Appeals and his deputies.

Senate Bill No. 359, entitled: An Act to provide for the construction and maintenance, in cities of the first class, of memorials in honor of the soldiers and sailors furnished by such cities and the counties wherein situated, to the United

States army and navy during the recent world war; providing for the voting of a bond issue in such cities, and for the acceptance of gifts and donations for such purposes; partially repealing Sections 2827, Kentucky Statutes; and for related purposes, including the creation of a Memorial Commission in such cities.

Senate Bill No. 135, entitled: An Act to amend Section 540, Kentucky Statutes, Carroll's 1915 Edition, relating to corporations.

Ordered that said bills be printed for the House and referred to the Committee on Rules.

Also that the Senate had passed House Bill No. 187, entitled: An Act to amend Section 165, Acts 1918 (Section 4482, Kentucky Statutes), relating to levying of tax for graded schools.

Ordered, that said bill be enrolled.

Mr. Bryson moved that the present consideration of House Bill No. 491 be deferred until a bill of same wording and effect, passed by the Senate, shall reach the Orders of the Day in the House and be up for passage.

Said motion was agreed to.

Mr. Bryson, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 205. An Act to regulate, control and fix standard weights of corn meal, grits, hominy and corn flour, and the size of packages containing same; and to provide penalties for the violation of this act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the standard weight for corn meal, grits, hominy and corn flour shall be one hundred pounds avoirdupois, and the standard measure for such commodities shall be packages containing net avoirdupois weight one pound, two pounds, three pounds, four pounds, five pounds, ten pounds, twenty-five pounds, fifty pounds, and one hundred pounds, or multiples of one hundred pounds.

§ 2. Be it further enacted, That it shall be unlawful for any person to pack for sale, sell or offer for sale in this State, any corn meal, grits, hominy or corn flour, except in bags or packages containing by standard net avoirdupois weight one pound, two pounds, three pounds, four pounds, five pounds, ten pounds, twenty-five pounds, fifty pounds and one hundred pounds or multiples of one hundred pounds, respectively. Each bag or package shall have plainly and legibly printed or marked thereon the net weight of contents thereof, in pounds avoirdupois, and such weights shall be a true and correct statement thereof; provided, however, that the provisions of this section shall not apply to the retailing of meal direct to consumers from bulk stock when purchased and delivered by actual weight or measure, or to exchange of corn for meal by mills grinding for toll, and that nothing herein contained shall be held to apply to any cereal product packed and distributed as a specialty, in identified original packages, the net contents of which weigh less than five pounds avoirdupois.

§ 3. Be it further enacted, That any violation of this Act shall be a misdemeanor and, upon conviction, the offender shall be fined not less than $25 nor more than $500 for each offense.

§ 4. Be it further enacted, That all Acts or parts of Acts in conflict herewith be repealed.

§ 5. Be it further enacted, That this Act shall take effect immediately upon its passage, the public welfare requiring it.

Ordered, that said bill be read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	S. G. Smith
H. H. Barnes	Griffin Kelly	R. Lee Stewart
W. T. Beckham	Frank Kennard	Wm. A. Stewart
J. M. Billiter	W. L. Kimbrough	Frank L. Strange
Rodney G. Bryson	Hebron Lawrence	T. R. Stultz
Roy J. Cain	Joseph Lazarus	John W. Swope
W. T. Carner	R. C. Marcum	J. Mack Thompson
J. F. Carr	I. S. Mason	J. H. Thompson
Charles M. Ciarlo	A. J. McCandless	Dr. D. J. Travis
J. S. Cruse	R. L. McFarron	C. B. Truesdell
P. A. Day	Claude D. Minor	John L. Trumbo
H. N. Dean	Mack J. Morgan	Fred C. VanHoose
Dr. T. H. Gamblin	Estill W. Neel	Daniel Vose
B. J. Geohringer	Chas. A. Nelson	G. C. Waggoner
A. L. Hamilton	T. C. Pryse	A. M. Wash
A. F. Hanberry	S. C. Ray	J. S. Webb
E. C. Hardin	B. F. Reynolds	Dr. T. R. Welch
Talbert Holliday	J. L. Richardson	Gladstone Wesley
D. J. Howard	Lee Rogers	W. G. Wheeler
A. R. Hudson	B. A. Roth	R. E. Wilborn
Adam W. Huff	E. E. Shannon	W. N. Winn
Robt. Humphreys	Dr. B. F. Shields	Dr. W. S. Yazell
J. W. Johnson	H. G. Skiles	—68

Resolved, That the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 460. An Act to amend, enlarge, and re-enact Section 3028 Kentucky Statutes, Carroll's Edition of 1915 (being Section 242 of the Act approved July 1, 1893, entitled, "An Act for the government of cities of the first class)," relating to the sale of liquor by druggists and apothecaries, in cities of the first class, upon the prescriptions of physicians.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3028, Kentucky Statutes, Carroll's Edition of 1915, (being Section 242 of the Act approved July 1, 1893, entitled, "An Act for the government of cities of the first class)," relating to the sale of liquor by druggists and apothecaries, in cities of the first class, upon the prescriptions of physicians, be, and the same is hereby amended, enlarged, and re-enacted by striking therefrom the word "without" immediately following the words "Druggists and apothecaries may," at the beginning of said section; and by substituting therefor the word "with," and by adding to said section, at the close thereof, the sub-sections hereinafter designated and set forth as Sections 3028-a, 3028-b, 3028-c, 3028-d, 3028-e

3028-f, 3028-g, 3028-h, 3028-i, 3028-j, 3028-k, 3028-l, and 3028-m, so that said Section 3028, Kentucky Statutes, as so amended, enlarged, and re-enacted shall read as follows, to-wit:

"§ 3028. Druggists and Apothecaries—Sale as Medicine —Prescription. Druggists and apothecaries may, with a license, sell unmixed alcohol or mixtures of wine, alcoholic, spirituous or brewed liquors in the preparation of medicine, or upon the written prescription of a regular practicing physician, but no druggist or apothecary shall sell or keep for sale any preparation or mixtures thereof as a beverage. Said druggists and apothecaries must require a separate written prescription for each sale of liquor by them. Any druggist or apothecary who, by subterfuge or device of any kind—by giving away liquor, or otherwise—seeks to evade the provisions of this act, shall be both fined and imprisoned, as may be prescribed by ordinance.

"Section 3028-a. License Necessary and Form Thereof —Amount of Tax. Before any druggist or apothecary shall have the right, in any city of the first class, to make sales of the liquors aforesaid or admixtures thereof, he shall procure from the Commissioners of the Sinking Fund of such city the license herein provided for. The tax to be paid for such license shall be determined by the general council of such city, but it shall not be less than one hundred ($100) dollars nor more than five hundred ($500) dollars. There shall be only one form of such license. The general council shall have the right to prescribe, by ordinance, terms of the issuance of such licenses not in conflict herewith, and to prescribe penalties for any violation of such ordinance, or of this act.

"Section 3028-b. License for One Year—Transfer—Surrender—Deduction for Unexpired Term. Such license shall be good for only one (1) year, and shall not be transferable without the consent of the Commissioners of the Sinking Fund, and the payment of five (5) per cent of the original cost of the license. Upon the surrender of such license, the said Commissioners shall make a reasonable allowance for the unexpired term: Provided, however, The original license shall be

surrendered, or if lost or destroyed, the person, firm or corporation to whom it was issued shall make affidavit that said original license has been lost or destroyed and can not be produced. The affidavit shall be filed with the Treasurer and Secretary of the Sinking Fund.

"Section 3028-c. Application for Licence, or For Its Transfer—How and When Made. Any person desiring to obtain such license, by original application, or by transfer, shall file an application for such license, or for such transfer, before the Treasurer and Secretary of the Commissioners of the Sinking Fund seven (7) days before such license may be issued to him. Said application shall be verified by him, and by two (2) reputable voters of the precinct in which he desires the right to make sales of liquor under said license. Said application shall show the following facts. That the applicant is of temperate habits and of good moral character; that he is a housekeeper in the city; that he is a duly licensed pharmacist; that he has not, within five years next preceding kept a disorderly house or been convicted of any crime, and that he has an established drug business at the place for which said license is desired. At the same time he shall execute and file with the Treasurer and Secretary of the Commissioners of the Sinking Fund a bond, with good sureties, the owners of property in the city subject to execution worth not less than $2,500.-00, or surety by a satisfactory indemnity and bonding company duly authorized to do business in such city conditioned that he will not violate the requirements or provisions of law governing the sale of liquor.

"Section 3028-d. Application To Be Published—Remonstrance. The Treasurer and Secretary of the Commissioners of the Sinking Fund of such city shall cause to be twice published in the newspapers doing the official printing of the city, a statement showing each applicant for such license, with the proposed location of the business of the applicant. Any person desiring to object to the granting of such license to any applicant, may file a remonstrance with the said Treasurer and Secretary of the Sinking Fund within seven (7) days after said publication, and thereafter said application and such remonstrance, and any evidence offered by either party in support thereof, shall be considered by the Commissioners of the

Sinking Fund aforesaid, at such time and place as may have been fixed by them.

"Section 3028-e. Granting of License. The said Commissioners of the Sinking Fund, when they are satisfied that all the legal requirements imposed by this Act have been complied with, concerning the application of any person for such license, and that such person is duly qualified to receive such license, may thereupon grant such license to such person. No such license, however, shall be granted for the sale of liquor in any precinct within such city if, in the opinion of the said Commissioners of the Sinking Fund, such sale of liquor at the place named in the application will be injurious to the people thereof. An appeal from the decision of the said Commissioners of the Sinking Fund, concerning the granting or refusal of any application may be taken to the Circuit Court as provided in the following sub-section.

"Section 3028-f. When License May Be Revoked—Appeal. Any such license granted by said Commissioners of the Sinking Fund may be revoked if said Commissioners, after an open trial, with due notice to the licensee, whenever in the judgment of said Commissioners the licensee has conducted a disorderly house or violated any law with respect to the sale of liquor; and if such licensee shall feel aggrieved with the decision of the said Commissioners of the Sinking Fund he may take an appeal from such decision to the Circuit Court, same to be taken in fifteen (15) days after such decision is rendered.

"Section 3028-g. Prepayment of License Tax Required. The tax for every such license shall be paid for by the applicant before the license is issued; but after his application has been approved by the said Commissioners of the Sinking Fund.

"Section 3028-h. Deposit by Applicant—What License Shall Specify—Exhibit of License. Each such applicant before filing his application with the Secretary and Treasurer of the Commissioners of the Sinking Fund, shall deposit with the City Treasurer the sum of five ($5) dollars; which sum shall be in addition to the amount paid for such license, if granted; and such applicant shall obtain from the City Treasurer a receipt therefor, and shall file said receipt with his ap-

plication. A report showing the sums so received shall be made to the City Comptroller by the City Treasurer and the Treasurer and Secretary of the Commissioners of the Sinking Fund. Such license, when so granted and issued, shall be maintained in some conspicuous place in the drug store where such liquors are sold agreeably to its authority, at all times plainly exposed to public view. Such license shall specify by name, the person to whom it shall be issued, and shall designate the particular place at which the business authorized by it shall be carried on.

"Section 3028-i. Failure to Pay License Tax After Application Approved. If any such applicant does not pay the requisite sum for such license within ten (10) days after his application has been approved by the Commissioners of the Sinking Fund, due notice of which shall have been given him, no license shall thereafter be granted to him under said application.

"Section 3028-j. Who Shall Make Application—Place of Business—Transfer of License. The aforesaid application for license, or for transfer thereof, shall be made by the owner or proprietor of such drug business, if such owner or proprietor be an individual, or by the chief officer or manager thereof, if such business be owned or conducted by a firm or corporation. Such license shall authorize the sale, agreeably to the provisions hereof, of liquors at the particular place named in the application, but at no other place. The Commissioners of the Sinking Fund may permit the transfer of any such license where the proposed transfer complies with the provisions of this act, and satisfies the said Commissioners of the Sinking Fund that such transferee has all the qualifications required by the original licensee, and that such transferee will fully comply with all the laws governing the sale of liquor.

"Section 3028-k. Provisions Hereof Not To Conflict With Federal Laws. Nothing herein shall be construed as being in conflict with any law of the United States governing the sale of vinous, spirituous, or malt liquors; and any license granted under the provisions hereof shall be granted subject to all laws of the United States governing the sale of such liquors.

"Section 3028-l. Emergency Clause. Because of the fact that Federal and State laws have recently been enacted to secure the enforcement of the prohibition of the sale of intoxicating liquors, and because of the necessity, in cities of the first class, for proper State and municipal regulations of the sale of such liquors by druggists and apothecaries, an emergency is hereby declared to exist and this Act shall take effect on and after the date of its approval by the Governor.

"Section 3028-m. Repealing Clause. All acts, or parts of Acts, inconsistent or in conflict herewith, are hereby repealed."

Ordered, that said bill be read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	Dr. B. F. Shields
L. H. Ballard	J. W. Johnson	S. G. Smith
H. H. Barnes	Henry Kaufman	R. Lee Stewart
W. T. Beckham	W. L. Kimbrough	W. A. Stewart
S. M. Bennett	J. M. Knott	John T. E. Stites
J. M. Billiter	Dr. S. D. Laughlin	Frank L. Strange
Rodney G. Bryson	Hebron Lawrence	T. R. Stultz
Roy J. Cain	Joseph Lazarus	John W. Swope
W. T. Carner	Rev. J. A. Lee	John B. Thomas

J. F. Carr	I. S. Mason	Dr. D. J. Travis
Charles M. Ciarlo	A. J. McCandless	C. B. Truesdell
A. S. Cooper	R. L. McFarron	John L. Trumbo
B. L. Cox	Estill W. Neel	J. Wood Vance
P. A. Day	Chas. A. Nelson	Fred C. VanHoose
J. M. Foster	T. P. Oliver	Daniel Vose
B. J. Geohringer	S. C. Ray	A. M. Wash
J. W. Geveden	Sherman Robbins	Gladstone Wesley
A. F. Hanberry	E. A. Roth	W. N. Winn
E. C. Hardin	Dr. Lewis Ryans	Dr. W. S. Yazell
D. J. Howard	Chas. R. Scott	—61
A. R. Hudson	W. P. Scott	

Those who voted in the negative were:

H. C. Duffy	Claude D. Minor	H. G. Skiles
Dr. W. L. Gossett	John T. Murphy	J. Mack Thompson
Frank Kennard	T. C. Pryse	Dr. T. R. Welch
		—9

Resolved, That the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson, of the Committee on Rules, called up for consideration House Bill No. 427.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

House Bill No. 427. An Act providing for and authorizing an appeal in all proceedings now pending in the County Courts of any county of this Commonwealth, or that may hereafter be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of the Com-

monwealth or for the purpose of collecting the inheritance tax due by any estate.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all proceedings in the county court of any county of this Commonwealth now pending, or that may hereafter be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of this Commonwealth, or for the purpose of collecting the inheritance tax due by any such estate, the Commonwealth and the parties interested in the estate subject to such tax, and the personal representative of the estate, shall have the right of appeal to the circuit court, and thence to the Court of Appeals, from any order of the county court fixing the value of any estate and from any judgment of the county court fixing the amount of tax due by such estate.

§ 2. Such appeals shall in all respects be prosecuted as are appeals in other civil cases, but the Commonwealth shall not be required to execute an appeal bond or supersedeas bond in such cases.

§ 3. Whereas, there is some uncertainty as to the right of appeal in such cases, as the law now stands; and whereas, there are now pending cases involving large sums of money claimed to be due under the inheritance tax laws of this Commonwealth; and whereas, it is important that all parties to such cases be given the right to appeal. an emergency is hereby declared to exist, and this act shall become effective from and after the date of its passage and approval by the Governor.

Mr. Bryson moved to substitute Senate Bill No. 289 (which is a companion bill to House Bill No. 427).

Senate Bill No. 289. An Act providing for and authorizing an appeal in all proceedings now pending in the county courts of any county of this Commonwealth, or that may here-

after be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of the Commonwealth, or for the purpose of collecting the inheritance tax due by any estate.

Said Senate Bill No. 289 reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all proceedings in the county court of any county of this Commonwealth now pending, or that may hereafter be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of this Commonwealth, or for the purpose of collecting the inheritance tax due by any such estate, the Commonwealth and the parties interested in the estate subject to such tax, and the personal representative of the estate, shall have the right of appeal to the circuit court, and thence to the Court of Appeals, from any order of the county court fixing the value of any estate and from any judgment of the county court fixing the amount of tax due by such estate.

§ 2. Such appeals shall in all respects be prosecuted as are appeals in other civil cases, but the Commonwealth shall not be required to execute an appeal bond or supersedeas bond in such cases.

§ 3. Whereas, there is some uncertainty as to the right of appeal in such cases, as the law now stands; and whereas, there are now pending cases involving large sums of money claimed to be due under the inheritance tax laws of this Commonwealth; and whereas, it is important that all parties to such cases be given the right to appeal, an emergency is hereby declared to exist, and this act shall become effective from and after the date of its passage and approval by the Governor.

Said motion was agreed to and Senate Bill No. 289 was substituted for said House bill.

Ordered, that said bill be read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	A. R. Hudson	E. E. Shannon
Sidney Alfrey	Adam W. Huff	Dr. B. F. Shields
L. H. Ballard	Robt. Humphreys	H. G. Skiles
H. H. Barnes	R. O. Huntsman	S. G. Smith
W. T. Beckham	J W. Johnson	R. Lee Stewart
S. M. Bennett	Henry Kaufman	W. A. Stewart
J. M. Billiter	Frank Kennard	John T. E. Stites
Roy J. Cain	W. L. Kimbrough	Frank L. Strange
W. T. Carner	Dr. S. D. Laughlin	T. R. Stultz
J. F. Carr	Hebron Lawrence	John W. Swope.
Charles M. Ciarlo	Joseph Lazarus	John B. Thomas
B. L. Cox	R. C. Marcum	J. Mack Thompson
H. N. Dean	I. S. Mason	Dr. D. J. Travis
J. B. Denues	A. J. McCandless	C. B. Truesdell
H. C. Duffy	Harry J. Meyers	John L. Trumbo
J. M. Foster	Claude D. Minor	Daniel Vose
Dr. T. H. Gamblin	Chas. A. Nelson	J. S. Webb
J. W. Geveden	T. C. Pryse	Gladstone Wesley
Dr. W. L. Gossett	S. C. Ray	V. M. Williamson
A. L. Hamilton	Sherman Robbins	W. N. Winn
A. F. Hanberry	Lee Rogers	Dr. W. S. Yazell
D. J. Howard	Chas. R. Scott	—65

Resolved, That the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed the following Senate Bills:

Senate Bill No. 68, entitled: An Act pertaining to the adoption of children and the powers of societies and institutions in child-welfare work, through their officers, to consent to adoptions, and concerning the reclaiming of children by parents or others; and legalizing the adoptions heretofore made which would otherwise be invalid for lack of power to consent.

Senate Bill No. 101, entitled: An Act to amend Sections 1 and 2 of an Act approved March 28, 1918, entitled "An Act entitled An Act to amend an Act of Chapter XXII-b, Section 415-b, Sub-sections 6 and 15 of Carroll's Statutes, 1915 Edition, entitled 'An Act to repeal an Act entitled an Act granting pensions to indigent and disabled Confederate soldiers which became a law March 18, 1914.' "

Senate Bill No. 264, entitled: An Act to provide for the opening of private passways, tram-roads and haul-roads.

Senate Bill No. 331, entitled: An Act fixing the salary of the Deputy Insurance Commissioner.

Ordered, that said bills be printed for the House and referred to the Committee on Rules.

Mr. Bryson, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 428. An Act to amend and re-enact Section 4225 of the Kentucky Statutes, Carroll's 1918 Edition, relating to organization tax of corporations.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4225 of the Kentucky Statutes, Carroll's 1918 Edition, be and the same is hereby amended and re-enacted, so that said section when amended and re-enacted shall read as follows:

Every corporation which may be incorporated by or under the laws of this State, having a capital stock divided into shares, shall pay into the state treasury two-tenths of one per centum upon the amount of capital stock which said corporation is authorized to have and a like tax upon any subsequent increase thereof. Such tax shall be due and payable on the incorporation of the company and on the increase of the capital stock thereof, and no such corporation shall have or exercise any corporate power until the tax shall have been paid, and, upon payment, it shall file a statement thereof with the Secretary of State. Provided, that every corporation which has not heretofore paid the organization tax upon any or all of its capital stock, and which by amendment of its charter changes its name, increases its powers, enlarges its scope or prolongs its corporate life, shall, upon the filing of such amendment pay the tax as above provided upon its entire capital stock, or so much thereof as has not theretofore borne the tax.

No corporation required to pay an organization tax under the provisions of this section shall pay a less sum than ten dollars.

Ordered, that said bill be read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	R. O. Huntsman	E. E. Shannon
Rodney G. Bryson	Henry Kaufman	S. G. Smith
Roy J. Cain	W. L. Kimbrough	R. Lee Stewart
W. T. Carner	Hebron Lawrence	W. A. Stewart
J. F. Carr	Joseph Lazarus	T. R. Stultz
Charles M. Ciarlo	R. C. Marcum	Dr. D. J. Travis
J. S. Cruse	I. S. Mason	C B. Truesdell
H. N. Dean	A. J. McCandless	John L. Trumbo
J. B. Denues	R. L. McFarron	Daniel Vose
J. M. Foster	H. C. McLellen	A. M. Wash
Dr. T. H. Gamblin	Harry J. Meyers	J S. Webb
B. J. Geohringer	Estill W. Neel	Gladstone Wesley
A. F. Hanberry	S. C. Ray	V. M. Williamson
A. R. Hudson	Lee Rogers	Dr. W. S. Yazell
Adam W. Huff	E. A. Roth	—46
Robt. Humphreys	Dr. Lewis Ryans	

Those who voted in the negative were:

Lon Adams	Griffin Kelly	H. A. Spillman
H. H. Barnes	Dr. S. D. Laughlin	Frank L. Strange
W. M. Boling	Rev. J. A. Lee	John W. Swope
B. L. Cox	Elmer Lusby	John B. Thomas
P. A. Day	Claude D. Minor	J. Mack Thompson
H. C. Duffy	John T. Murphy	J. H. Thompson
J. W. Geveden	Chas. A. Nelson	J. Wood Vance

Dr. W. L. Gossett	Chas. R. Scott	Dr. T. R. Welch
A. L. Hamilton	W. P. Scott	W. G. Wheeler
D. J. Howard	Dr. B. F. Shields	W. N. Winn
J. W. Johnson	H. G. Skiles	—32

Resolved, That the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson, of the Committee on Rules, moved that House Bill No. 496 be recommitted to the Committee on Rules.

Said motion was agreed to.

Mr. Bryson, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 304. An Act to continue the existence of the Kentucky Council of Defense for the sole purpose of completing the work of gathering, arranging and preserving the history of Kentucky's part in the World War, and making an appropriation for that work.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Kentucky Council of Defense, created by act approved March 15, 1918, be continued in existence for the period of two years from the end of the present session of the General Assembly of the Commonwealth of Kentucky for the sole purpose of completing the work of gathering, arranging and preserving all material relating to Kentucky's part in the World War and to that end said Council shall have power and it shall be its duty to employ and fix the compensation of such agents as may be necessary to enable it to complete said work.

§ 2. Said Council shall, during the time for which its existence is extended by Section 1 of this act, be composed of only three members to be appointed by the Governor, one of whom shall be appointed as Chairman.

§ 3. There is appropriated out of the general funds of the State, or out of such special funds as may be provided by the General Assembly of Kentucky, the sum of ten thousand dollars per year for the two years of the continued existence of said Council to enable said Council to carry out the purposes of this act, to be paid upon warrant drawn by the Auditor upon the Treasurer of the Commonwealth of Kentucky. No voucher for expenses shall be paid unless authorized by said Council and approved by the Chairman.

§ 4. There is hereby appropriated out of the general funds of the State, or out of such special funds as may be provided by the General Assembly of Kentucky, the further sum of one hundred dollars for each county, to be expended by the county historian or other agent in the county appointed by the Kentucky Council of Defense to gather, arrange and preserve the material relating to Kentucky's part in the World War or so much thereof as may be needed for said work, such sum to be paid in each case upon the warrant drawn by the Auditor upon the Treasurer of the Commonwealth of Kentucky, but the Auditor shall not draw his warrant therefor except upon vouchers approved by the Chairman of the Kentucky Council of Defense.

§ 5. All laws and parts of laws inconsistent herewith are hereby repealed.

§ 6. Whereas it is necessary that this Act should take effect at once in order that the work of gathering, arranging and preserving the material relating to Kentucky's part in the World War should not be interrupted, an emergency is hereby declared to exist, and this Act shall take effect from and after its passage and approval as required by law.

Mr. Wesley offered the following amendment:

Amend House Bill 304, Section 3, line 3, page 2, by striking out the words "ten thousand" after the word "of" and

before the word "dollars" in said line, and inserting in lieu thereof the words "seven thousand five hundred."

Said amendment was agreed to.

Mr. Wesley offered the following amendment:

Amend House Bill 304 by striking out all of Section 4, page 2.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Robt. Humphreys	W. P. Scott
L. H. Ballard	J. W. Johnson	Dr. B. F. Shields
W. T. Beckham	Frank Kennard	H. G. Skiles
W. M. Boling	Dr. S. D. Laughlin	S. G. Smith
Rodney G. Bryson	Hebron Lawrence	H. A. Spillman
Roy J. Cain	Joseph Lazarus	R. Lee Stewart
W. T. Carner	Rev. J. A. Lee	W. A. Stewart

J. F. Carr	Elmer Lusby	John T. E. Stites
Charles M. Ciarlo	R. C. Marcum	Frank L. Strange
B. L. Cox	A. J. McCandless	T. R. Stultz
J. S. Cruse	R. L. McFarron	John W. Swope
P. A. Day	H. C. McLellen	John B. Thomas
H. N. Dean	Claude D. Minor	Dr. D. J. Travis
J. B. Denues	Mack J. Morgan	John L. Trumbo
H. C. Duffy	John T. Murphy	J. Wood Vance
Dr. T. H. Gamblin	Estill W. Neel	Fred C. VanHoose
B. J. Geohringer	Chas. A. Nelson	Daniel Vose
J. W. Geveden	T. C. Pryse	J. S. Webb
A. L. Hamilton	S. C. Ray	Dr. T. R. Welch
E. C. Hardin	J. L. Richardson	Gladstone Wesley
Dr. W. L. Haynes	Sherman Robbins	W. G. Wheeler
D. J. Howard	Lee Rogers	W. N. Winn
A. R. Hudson	B. A. Roth	Dr. W. S. Yazell
Adam W. Huff	Chas. R. Scott	—71

Those who voted in the negative were:

Lon Adams	W. L. Kimbrough	J. Mack Thompson
		—3

Resolved, That the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 345. An Act to authorize Boards of Education of cities of the first class to confer upon students who have completed the full course in the normal school of such cities an advanced certificate to teach in the public schools of the State.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That where any city of the first class conducts and maintains a Normal School wherein the course of study and instruction is equivalent to the advanced course of study and instruction in the State Normal Schools, the Boards of Education of such cities shall have the right, subject to the approval of the State Superintendent of Public Instruction, to confer, under their corporate seals, upon graduates of such City Normal School who have completed a full two years' course therein, an advanced certificate which shall entitle the holder thereof to teach in any public school in this State for a period of three years from the date thereof without further examination. If at the end of such three years such holder of an advanced certificate shall present to the Board of Education, which granted such certificate, satisfactory evidence of successful teaching during said period, and of good moral character, then such advanced certificate may by said Board be extended for life or during good behavior of such holder, subject however, to the approval of the State Superintendent of Public Instruction; such extension to be indorsed upon said certificate by said Board, and shall entitle the holder thereof to teach in any public school in this State during good behavior without further examination; provided, however, that the rights herein given to Boards of Education of cities of the first class shall apply only to such graduates from Normal Schools of such cities as shall have, prior to their admission to the Normal School, completed a full four years' course in a first class High School.

§ 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Griffin Kelly	Dr. B. F. Shields
Sidney Alfrey	W. L. Kimbrough	H. G. Skiles
J. F. Carr	J. M. Knott	S. G. Smith
Charles M. Ciarlo	Hebron Lawrence	R. Lee Stewart
A. S. Cooper	Joseph Lazarus	W. A. Stewart
B. L. Cox	Rev. J. A. Lee	John T. E. Stites
J. S. Cruse	Elmer Lusby	John W. Swope
F. A. Day	R. C. Marcum	J. Mack Thompson
H. N. Dean	I S. Mason	C. B. Truesdell
J B. Denues	A. J. McCandless	John L. Trumbo
H. C. Duffy	R. L. McFarron	J. Wood Vance
J. M. Foster	H. C. McLellen	Fred C. VanHoose
A. F. Hanberry	Claude D. Minor	[illegible]iel Vose
E. C. Hardin	Mack J. Morgan	J. S. Webb
Dr. W. L. Haynes	Estill W. Neel	Dr. T. R. Welch
A. R. Hudson	S. C. Ray	Gladstone Wesley
Adam W. Huff	P. F. Reynolds	W. G. Wheeler
Robt. Humphreys	Chas. R. Scott	V. M. Williamson
Henry Kaufman	W. P. Scott	Dr. W. S. Yazell

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Those who voted in the negative were:

W. M. Boling	W. T. Carner	Dr. W. L. Gossett
Roy J. Cain	J. W. Geveden	Frank Kennard

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Resolved, That the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By unanimous consent the following bill was introduced.

By Mr. Travis:

House Bill No. 552, entitled: An Act relating to the issuing, registering, reporting and redemption of county, city, town and district bonds, and providing for the investment of trust funds therein, defining duties and compensation of officers, and penalties for failure thereof.

Ordered, that said bill be printed and referred to the Committee on Rules.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill of the following title, viz.:

House Bill No. 90, entitled: An Act to repeal and re-enact Sub-division 9 of Article 4, Chapter LXXXIX of Kentucky Statutes, Carroll's Edition 1915, and the amendment thereto as provided in Chapter LXXVIII at page 393 of the Acts of the General Assembly of Kentucky passed at its regular session in the year 1918, and relating to the government of cities of the third class and providing for a system of public schools and the election, qualification, term of office and meetings of the Board of Education of said cities of the third class and the number that shall constitute a quorum for the transaction of all business of said boards of education; providing for the form of the ballot and the manner of holding the elections for the members of said boards of education, the manner of voting, the manner of filling vacancies, the powers and duties of said boards of education, the manner in which public school

property shall be acquired, held and disposed of, including the right of eminent domain, the manner of selecting teachers, officers and employees and of fixing their duties, terms and compensation, the selection of courses of study and text books, the establishment of high schools, the publication of a printed statement at the end of each scholastic year, a report to the city auditor or clerk with reference to the financial needs of the boards of education, limiting the amount of tax that may be levied for school purposes, the submission to the voters of the question of issuing bonds for school purposes when deemed necessary by said boards of education, and the manner in which said elections shall be held, the manner in which the general councils or boards of commissioners shall provide annually for the school fund, the power of the boards of education to borrow money, the manner of levying and collecting ad valorem, poll and license taxes, separate buildings and schools for the education of white and black children, prohibiting members of the boards of education from having any financial interest in any contract made by the boards; providing for the election of a treasurer, the continuance unimpaired of all contracts and liabilities, taxes, sinking funds, indebtedness, bonded or otherwise, the manner in which funds shall be paid out, that cities of the third class shall each constitute one school district for taxing purposes and providing for the taking of a census; providing for the choice of officers for the Board of Education, including a secretary and the manner of fixing his salary, the establishment and maintenance of public school libraries, the admission of pupils outside the limits of the city, the repeal of all inconsistent laws, except special acts pertaining to certain cities, and the recognition of the existence of an emergency.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill and resolution of the following titles, viz:

House Bill No. 91, entitled: An Act to amend and re-enact Section 2218 of the Kentucky Statutes, being Section 2218 of an Act entitled "Interest and Usury," enacted by the General Assembly of the Commonwealth of Kentucky, December 3, 1892, regulating the rate of interest.

House Resolution No. 29, entitled: Joint resolution approving suggested plan of co-operation between the State Government and the City of Frankfort, and providing for a commission to be selected by the Governor and the Mayor of said city, authorized to report to the General Assembly of 1922 a measure to carry such plan into effect.

Whereupon all other business was suspended, said bill and resolution were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill and resolution.

Ordered that the Enrolling Clerk deliver said bill and resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill and resolution which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bill and resolution which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill and resolutions of the following titles, viz:

Senate Bill No. 61, entitled: An Act to amend and re-enact section 1763 of Kentucky Statutes, Carroll's Edition, 1915, entitled "Salary of Deputies—Maximum Allowed, and increasing the salaries of such deputies."

Senate Resolution No. 21, entitled: Resolution providing for the printing of copies of the new road law and for the distribution of same.

Senate Resolution No. 8, entitled: Joint resolution for the benefit of J. W. Hedden, formerly Superintendent of Public Printing.

Senate Resolution No. 19, entitled: Resolution inviting W. J. Bryan to address the General Assembly.

Senate Resolution No. 22, entitled: Resolution authorizing the Governor of Kentucky to appoint a commission to study the existing discriminations in freight rates in Kentucky, empowering said Commission to institute proceedings before the Interstate Commerce Commission.

Whereupon all other business was suspended, said bill and resolutions were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill and resolutions.

Ordered that the Enrolling Clerk deliver said bill and resolutions to the Senate.

At 12:15 P. M. the House took a recess until 1:30 P. M.

AFTERNOON SESSION.

WEDNESDAY, MARCH 10, 1920.

The House reconvened at 1:30 P. M.

The Rules Committee offered House Resolution No. 42, entitled "Joint Resolution authorizing appointment of Commission to secure option on Federal Hill near Bardstown, Nelson County, Kentucky, and report to the next General Assembly."

Said resolution is as follows, to-wit:

Whereas, the Mansion house known as "Federal Hill" and the land belonging thereto, situated near Bardstown, in Nelson County, Kentucky, is owned by private persons, and,

Whereas, said place is where Stephen Collins Foster wrote the immortal song, "My Old Kentucky Home," and,

Whereas, it would be highly appropriate for the State of Kentucky to acquire the said home and the lands belonging to the same, together with its furnishings, in order to properly preserve and keep the same as a memorial, now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Governor be and he is hereby empowered to appoint a commission of not less than five persons, which said commission shall investigate and ascertain the price and terms at which said property may be acquired by the State of Kentucky, and the said Commission is further empowered to secure an option on said property in order that if the State desires to purchase said property it may have this right.

§ 2. That the said Commission shall make a full and complete report of the option obtained and with the price and terms at which said property may be acquired, together with the advisability of the State acquiring the said property, and return said report to the next General Assembly.

§ 3. That the Commissioners appointed by the Governor under this resolution shall serve without compensation.

Mr. Bryson moved that the Rules be suspended and that said resolution be placed upon its passage.

Said motion was agreed to.

Then said resolution was adopted.

Said resolution was sent to the Senate.

Mr. Haynes, of the Committee appointed under Senate Joint Resolution No. 4, to investigate conditions pertaining to the management, control, and operation of the penal and charitable institutions of the State of Kentucky, read to the House the report of said Committee.

He also offered to file a written report of said Committee on Western Kentucky State Hospital at Hopkinsville, Kentucky.

Also offered a written report of said Committee on the Kentucky State Penitentiary at Eddyville, Kentucky.

Also a report of said Committee on Greendale Reform School.

Also two volumes of testimony taken by said Committee in making said investigation.

Mr. Lazarus moved that said reports and testimony be received and filed in the office of the Clerk of the House of Representatives.

This motion was agreed to.

Mr. Lazarus also moved that the House of Representatives extend its thanks to the Committee for its labors in taking said testimony and preparing said reports.

Said motion was adopted.

Then said several reports and books of testimony were filed as aforesaid.

A message was received from the Senate announcing that it had passed House Bills Nos. 215, 284, 211, and 352.

Ordered, that said bills be enrolled.

Mr. Bryson, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 538. An Act to amend and re-enact subsection 1 of section 1137 of Kentucky Statutes, Carroll's Edition, 1915.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 1 of section 1137 of the Kentucky Statutes, Carroll's 1915 Edition, be amended by adding at the end of the said subsection of said section the following:

"Except in cases where the accused has been adjudged to suffer a death sentence for the crime of rape or attempted rape, in which event the sentence shall be executed by hanging the condemned in the county in which the crime was committed." The sentence to be executed by the sheriff of the county.

So that said subsection 1 of section 1137 of the Kentucky Statutes, Carroll's 1915 Edition, when amended and re-enacted shall read as follows:

"That from and after the period that this law shall take effect the mode of the execution of a death sentence must in every case be by causing to pass through the body of the condemned a current of electricity of sufficient intensity to cause death as quickly as possible, and the application of such current must be continued until the condemned is dead.

All executions of the death penalty by electrocutions shall take place within the walls of the State penitentiary, hereafter indicated by the Board of Prison Commissioners, and in such enclosure as will exclude public view thereof. Except in cases where the accused has been adjudged to suffer a death sentence for the crime of rape or attempted rape, in which event the sentence shall be executed by hanging the condemned in the county in which the crime was committed. The sentence to be executed by the sheriff of the county.

The Rules Committee offered the following amendment to said bill, viz.:

Amend House Bill No. 538 by inserting after the word "committed" in line 7 of printed bill the following words, "that such execution shall be within an enclosure to be provided by the county and admittance to said enclosure to be limited to 100 persons."

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Robt. Humphreys	Chas. R. Scott
Sidney Alfrey	R. O. Huntsman	W. P. Scott
L. H. Ballard	Henry Kaufman	E. E. Shannon
H. H. Barnes	Griffin Kelly	Dr. B. F. Shields
W. T. Beckham	Frank Kennard	S. G. Smith
S. M. Bennett	W. L. Kimbrough	H. A. Spillman
W. M. Boling	J. M. Knott	R. Lee Stewart
Rodney G. Bryson	Joseph Lazarus	Frank L. Strange
Roy J. Cain	Rev. J. A. Lee	T. R. Stultz
Charles M. Ciarlo	R. C. Marcum	John W. Swope
B. L. Cox	I. S. Mason	J. H. Thompson
P. A. Day	Harry J. Meyers	Dr. D. J. Travis
J. B. Denues	Claude D. Minor	C. B. Truesdell
J. M. Foster	John T. Murphy	J. Wood Vance
B. J. Geohringer	Estill W. Neel	Daniel Vose
J. W. Geveden	Chas. A. Nelson	J. S. Webb
Dr. W. L. Gossett	T. P. Oliver	Dr. T. R. Welch
A. L. Hamilton	T. C. Pryse	W. G. Wheeler
A. F. Hanberry	B. F. Reynolds	R. E. Wilborn
E. C. Hardin	J. L. Richardson	V. M. Williamson
Dr. W. L. Haynes	Sherman Robbins	W. N. Winn
D. J. Howard	Lee Rogers	Dr. W. S. Yazell
Adam W. Huff	Dr. Lewis Ryans	—68

Those who voted in the negative were:

W. T. Carner	J. W. Johnson	John L. Trumbo
J. F. Carr	Hebron Lawrence	Fred C. VanHoose
A. S. Cooper	A. J. McCandless	A. M. Wash
J. S. Cruse	S. C. Ray	Gladstone Wesley

H. C. Duffy	John B. Thomas	—16
A. R. Hudson	J. Mack Thompson	

Resolved, That the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 98. An Act entitled an act to amend an act approved March 20th, 1914, Chapter LXIX, session 1914, Carroll's Statutes, section 2739, subsection 2, to regulate, license and govern use of motor vehicles and provide penalty for a violation thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That an act entitled an act to regulate, license and govern use of motor vehicles in this Commonwealth, being Chapter LXIX, act approved March 20th, session 1914, Carroll's Statutes, section 2739, subsection 2, be, and the same is hereby amended by adding thereto the following:

That on and after the passage of this act it shall be unlawful for any individual, person or persons, firm, corporation or company to operate or run any motor truck upon any of the roads or highways of this Commonwealth without the same being equipped with a mirror of glass or polished substance attached to and upon the left side and front end of said motor truck in such position as to enable the chauffeur or driver to see and observe machines and vehicles approaching from the rear and desiring to pass.

§ 2. That the State of Kentucky shall, through its Commissioner of Motor Vehicles, or that department procure said reflectors or furnish each motor truck owner at the time he issues the license. If already licensed, upon application of said owner of a motor truck at the price of fifty cents, plus the actual cost to the State for same.

The shape, size and design of such mirror or polished substance shall be such as may be prescribed by the Commissioner of Motor Vehicles, as in his judgment will best suit trucks having bodies of different widths, and the applicant for such mirror or polished substance shall give, at the time that he makes application for the same, the size, width, height and make of truck, and for what purpose used, the same to be furnished on blanks especially prepared by the Commissioner of Motor Vehicles.

§ 3. That any person or persons, firm, corporation or company owning, operating or using a motor truck upon any road or highway in this State without being equipped with said mirror, glass or polished reflector, as described herein, shall be subject to arrest and fine of not less than five nor more than twenty-five dollars, and the cost, upon a warrant before any court having jurisdiction of said amount in this Commonwealth.

§. 4. This act shall take effect and be in force from and after its passage.

Mr. Bryson moved that Senate Bill No. 39, which is the same as House Bill No. 98 and is in the Orders of the Day in the House be substituted for House Bill No. 98.

Said motion was agreed to and Senate Bill No. 39 was substituted for the House Bill under consideration.

Said Senate Bill No. 39 reads as follows, viz.:

Senate Bill No. 39. An Act entitled an Act to amend an Act approved March 20, 1914, Chapter LXIX, session 1914, Carroll's Statutes, Section 2739, to regulate, license and govern use of motor vehicles and provide penalty for a violation thereof.

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That an Act entitled an Act to regulate, license and govern use of motor vehicles, in this Commonwealth, being Chapter LXIX, Act approved March 20, session 1914, Carroll's Statute, Section 2739, be and the same is hereby amended by adding thereto the following: That on and after the passage of this Act it shall be unlawful for any individual, person, or persons, firm, corporation, or company to operate or run any motor truck, upon any of the roads or highways of this Commonwealth without the same being equipped with a mirror of glass, or polished substance attached to and upon the left side and front end of said motor truck in such position as to enable the chauffeur or driver to see and observe machines and vehicles approaching from the rear and desiring to pass.

§ 2. That the state of Kentucky, shall through its Commissioner of Motor Vehicles, or that department procure said reflectors or furnish each motor truck owner at the time he issues the license. If already licensed upon application of said owner of a motor truck at the price of fifty cents plus the actual cost to the State for same. Such mirrors as may be prescribed shall be purchased by said commissioner by competitive bids, and in all cases the lowest and best bid shall be accepted.

The shape, size and design of such mirror or polished substances shall be such as may be prescribed by the Commissioner of Motor Vehicles, as in his judgment will best suit trucks having bodies of different widths, and the applicant for such mirror or polished substance shall give at the time that he makes application for the same, the size, width, height and make of truck, and for what purpose used, the same to be furnished on blanks especially prepared by the Commissioner of Motor Vehicles.

§ 3. That any person or persons, firm, corporation or company owning, operating or using a motor truck upon any road or highway in this State without being equipped with said mirror, glass or polished reflector as described herein shall be subject to arrest and fine of not less than five nor more than

twenty-five dollars, and the cost upon a warrant before any court having jurisdiction of said amount in this Commonwealth.

§ 4. This Act shall take effect and be in force from and after January 1, 1921.

Dr. Ryans moved that the House resolve itself into a Committee of the Whole House for the purpose of hearing Senator Bright explain the bill.

Said motion was agreed to.

The Speaker vacated the chair and called Mr. Hardin to preside over the Committee of the Whole.

After Senator Bright had explained the bill, Dr. Welch moved that the Committee of the Whole do now arise and report progress.

Said motion was agreed to.

Then the Committee arose and the Chairman, Mr. Hardin, reported that they had heard Senator Bright discuss the bill but had come to no resolution thereon.

Then Speaker Bosworth resumed the Chair.

Ordered that said Senate Bill No. 39 be read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Robt. Humphreys	Sherman Robbins
H. H. Barnes	R. O. Huntsman	Lee Rogers
W. T. Beckham	J. W. Johnson	B. A. Roth
S. M. Bennett	Henry Kaufman	Dr. Lewis Ryans
W. M. Boling	Griffin Kelly	Dr. B. F. Shields
Rodney G. Bryson	Frank Kennard	S. G. Smith
Roy J. Cain	W. L. Kimbrough	R. Lee Stewart
W. T. Carner	J. M. Knott	W. A. Stewart
J. F. Carr	Dr. S. D. Laughlin	John T. E. Stites
Charles M. Ciarlo	Hebron Lawrence	John W. Swope
A. S. Cooper	Joseph Lazarus	John B. Thomas
B. L. Cox	Rev. J. A. Lee	J. Mack Thompson
J. S. Cruse	R. C. Marcum	J. H. Thompson
P. A. Day	I. S. Mason	Dr. D. J. Travis
H. N. Dean	R. L. McFarron	John L. Trumbo
J. B. Dennes	H. C. McLellen	Daniel Vose
J. M. Foster	Harry J. Meyers	A. M. Wash
Dr. T. H. Gamblin	Claude D. Minor	Dr. T. R. Welch
P. J. Geohringer	John T. Murphy	Gladstone Wesley
A. F. Hanberry	Estill W. Neel	W. G. Wheeler
E. C. Hardin	Chas. A. Nelson	R. E. Wilborn
Dr. W. L. Haynes	T. P. Oliver	V. M. Williamson
D. J. Howard	S. C. Ray	W. N. Winn
Adam W. Huff	B. F. Reynolds	—71

Those who voted in the negative were:

L. H. Ballard	A. J. McCandless	T. R. Stultz

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Resolved, That the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson, of the Committee on Rules, moved that the consideration of House Bill No. 273 be deferred until tomorrow.

Said motion was agreed to.

The following bills and resolutions were sent to the Senate:

House Bills No.'s 304, 255, 345, 460, 428, 205, 432, 81, 466, 164, and 538; Senate Bills No.'s 289 and 39; and House Resolution No. 42.

Mr. Bryson, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz:

House Bill No. 164. An Act to amend and re-enact Subsections 3, 4, 17 and 21 of Section 331-e of the Kentucky Statutes, being also Sections 3, 4, 17 and 21 of an act of the General Assembly of Kentucky approved March 19, 1908, entitled: "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define those terms and fixing and defining the powers of the several county courts within the Commonwealth with reference to the care, treatment and control of such children, and to provide for the means whereby such powers may be exercised." (Said Section No. 3 having been heretofore amended by an act of the General Assembly of the Commonwealth of Kentucky approved March 23, 1910, being Chapter LXXVII of the Acts of 1910.)

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

That sub-section 3 of Section 331-e of the Kentucky Statutes, being also Section 3 of an Act of the General Assem-

bly approved March 19th, 1908, entitled: "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define those terms and fixing and defining the powers of the several county courts within the Commonwealth with reference to the care, treatment and control of such children, and to provide for the means whereby such powers may be exercised" (said Section No. 3 having been heretofore amended by an act of the General Assembly of the Commonwealth of Kentucky approved March 23, 1910, being Chapter LXXVII of the Acts of 1910), be and it is hereby amended by inserting between the words "second" and "class" the words: "or third" and by adding at the end of said section the words "and in executing notices, summonses and other writs and processes" so that said sub-section 3 of Section 331-e as amended and re-enacted shall read as follows:

"The county courts of the several counties of this state shall have authority to appoint or designate one or more discreet persons of good moral character to serve as volunteer probation officers during the pleasure of the court, without any compensation whatsoever. In counties having a city of the first or second or third class the county court may appoint one probation officer, who shall be designated as chief probation officer, and who shall receive a salary of not exceeding twenty-four hundred dollars ($2,400.00) per year, to be fixed by the county judge; one or more assistant probation officers, one of whom shall receive a salary of not exceeding twelve hundred dollars ($1,200.00) per year, and all other assistants so appointed shall receive a salary not exceeding one thousand dollars ($1,000.00) per year, such salaries to be fixed by the judge of the county court. Such salaried probation officers shall be allowed their actual and necessary expenses incurred in the performance of their duties; said salaries and expenses to be paid as provided herein. All such salaried probation officers shall have the powers of sheriffs and county patrolmen in making arrests and in executing notices, summonses and other writs and processes."

And that sub-section 4 of said Section 331-e of the Kentucky Statutes, being also Section 4 of said Act of the General Assembly of Kentucky approved March 19, 1908, be and it is hereby amended by inserting in the next to the last clause

thereof between the words "second" and "Class" the words: "or third" and by striking out the words in the same clause: "it shall be the duty of the fiscal court of the county" and by inserting in lieu thereof the words: "the fiscal court of the county shall have the power and authority" and by inserting after the word "school" where it occurs in said clause, the words: "or home" so that said sub-section 4 of Section 331-e of the Kentucky Statutes, as amended and re-enacted shall read as follows:

"Any reputable person being a resident of the county having knowledge of a child in the county who appears to be either neglected, dependent or delinquent, who is not an inmate of a state institution or any institution incorporated under the laws of the state of Kentucky for the care and correction of children, or any reform school or industrial school for juvenile offenders, may file with the clerk of the county court a petition in writing, setting forth the facts verified by affidavit. It shall be sufficient that the affidavit is upon information and belief. The petition shall set forth the name and residence of the parent or parents, if known, or if the name and residence is unknown to the petitioner: (a) the name and residence of the person having the custody, control or supervision of such child; or (b) if the child be illegitimate, the name of the mother of such illegitimate child; or if it allege that both parents, or that such mother is dead, then the name of such guardian, if any, of such child; (d) if no guardian of such child is known to the petitioner, then of some near relative, or that such is unknown to the petitioner. All persons named in said petition shall be notified of such proceedings as hereinafter provided.

"Upon filing of the petition a summons shall issue requiring the parent, or parents, guardian or the person having the custody, control or supervision of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall not be less than twenty-four hours after service. The parents of the child, if living, and their residence, if known to the petitioner, or its legal guardian, if one there be, and his residence, if known to the petitioner, or if there be neither parent or guardian, or if his

or her residence is not known, then some near relative, if his residence be known to the petitioner, shall be notified of the proceedings, and in any case the judge may appoint some suitable person to act in behalf of the child. Summons and notice may be served by the sheriff, by any officer authorized by law to serve a summons or warrant, or by any duly appointed probation officer, either by reading the same to the person or persons to be served, or by delivering a copy thereof to such person or persons, or by leaving a copy thereof at his usual place of abode, if stated in the petition or known, with some person of his family of the age of ten years or upwards, and informing such person of the contents thereof. The return of such summons and notice, with the endorsement of service by the officer in accordance herewith, shall be sufficient proof thereof. If the person summoned as herein provided, shall fail, without reasonable cause, to appear, and abide the order of the court or bring the child, he may be proceeded against as in contempt of court. In case the summons cannot be served or the party fails to obey the same, and in any case when it shall be made to appear to the court by affidavit, which may be on information and belief, that such summons will be ineffectual to secure the presence of the child, a warrant may issue on the order of the court either against the parent or guardian or the person having the custody, control or supervision of the child, or with whom the child may be, or against the child itself or both. On return of the summons, or other process or on the appearance of the child without or with summons or other process in person before the court together with the return of the service of notice, if there be any person notified, or upon the personal appearance or written consent to the proceedings of the person or persons, if any be notified, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner, and all hearings shall so far as the same may be lawfully done, be had in chambers to the exclusion of the general public.

"Until the first hearing of the case by the court, the chief probation officer or any assistant probation officer may release the child upon its own recognizance; or upon the recognizance of the parent or person having the custody, con-

trol or supervision of the child, to appear before the court at such time as may be therein fixed, or the probation officer may cause the child to be placed in the detention school hereinafter mentioned; or in any place of detention for children maintained by the city or county; provided, however, that no child under fourteen years of age shall, under any circumstances, be incarcerated in any county jail or police station, and any officer or person knowingly violating the provision of this act shall be guilty of a misdemeanor and, on conviction, fined in a sum not to exceed one hundred ($100.00) dollars.

"In all counties in which there is a city of the first class wherein the board of children's guardians has provided a temporary home for delinquent, dependent or neglected children, such home shall be used as a detention school and shall be so arranged, furnished and conducted that the inmates therein shall be cared for as in a family home and public school; and the superintendent and matron shall reside therein, and at least one shall be competent to teach and instruct children in the branches of education similar to those embraced in the curriculum of the public school of said city and county up to and including the eighth grade; said superintendent and matron shall receive no compensation for conducting said school and caring for the children committed thereto under this act, in addition to the salary provided for such superintendent and matron by the board of children's guardians. Where in such counties no such home has been provided and in all counties wherein a city of the second class or third class is located, the fiscal court of the county shall have power and authority to establish and maintain a detention school or home, not connected with the jail, which shall be in charge of a superintendent and matron, if the same be deemed necessary, to be appointed by the county court, who shall receive a joint salary to be paid as provided herein, not to exceed twelve hundred dollars ($1,200.00) per annum. Or the county court may assign to the charge and care of said detention school or home one or more of the probation officers hereinbefore mentioned, with or without additional salary.

"Any detention school established as herein provided shall be arranged, furnished and conducted as a school, as

herein provided, and the superintendent and matron thereof shall possess the qualifications herein provided."

And that sub-section 17 of said Section 331-e of the Kentucky Statutes, being also Section 17 of said act of the General Assembly of Kentucky approved March 15, 1908, be and it is hereby amended by inserting between the words "second" and "class," the words "or third" so that said sub-section 17 of Section 331-e of the Kentucky Statutes as amended and re-enacted shall read as follows:

"In counties having a city of the first, second or third class the county court may appoint a stenographer who, under the direction of the court, shall take down in shorthand any such evidence offered in the proceedings as the court may deem necessary, and said stenographer shall make a transcript of the substance of the evidence taken down and file such transcript with the papers of the proceedings herein. Such stenographer shall perform such other duties as may be assigned to him by the judge of the county court; such stenographer shall receive a salary to be fixed by the judge of the county court, not exceeding $60.00 per month, to be paid as provided for herein."

And that sub-section 21 of said Section 331-e of the Kentucky Statutes being also Section 21 of said act of the General Assembly approved March 15, 1908, be and it is hereby amended by inserting between the words "second" and "class," wherever they occur, the words "or third" and by striking out and omitting all that part of said sub-section relating to municipal boards, so that said sub-section 21 of Section 331-e of the Kentucky Statutes as amended and re-enacted shall read as follows:

"For the purpose of paying salaries and expenses provided for herein and necessary to carry out the purposes of this act, the fiscal court of each county containing a city of the first, second or third class is authorized and empowered to levy an annual tax of not less than one-fourth of a cent on each $100.00 of all taxable property in said county.

"In case the fiscal court of any county containing a city of the first or second or third class shall fail to levy a tax as aforesaid, the salaries and expenses provided for herein shall

be paid by the fiscal court of said county out of the county levy for general purposes."

Ordered, that said bill be read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Dr. Lewis Ryans
H. H. Barnes	Griffin Kelly	Chas. R. Scott
W. T. Beckham	Frank Kennard	W. P. Scott
S. M. Bennett	Hebron Lawrence	E. E. Shannon
Rodney G. Bryson	Joseph Lazarus	Dr. B. F. Shields
Roy J. Cain	Rev J. A. Lee	S. G. Smith
W. T. Carner	Elmer Lusby	Wm. A. Stewart
J. F. Carr	R. C. Marcum	Frank L. Strange
Charles M. Ciarlo	E. S. Mason	T. R. Stultz
A. S. Cooper	A. J. McCandless	John W. Swope
B. L. Cox	K. L. McFarron	John B. Thomas
J. S. Cruse	H. C. McLellen	J. Mack Thompson
P. A. Day	Harry J. Meyers	Dr. D. J. Travis
H. N. Dean	Claude D. Minor	C. B. Truesdell
H. C. Duffy	John T. Murphy	John L. Trumbo
J. M. Foster	Estill W. Neel	Fred C. VanHoose
B. J. Geohringer	Chas. A. Nelson	Daniel Vose
J. W. Geveden	T. P. Oliver	A. M. Wash

A. F. Hanberry	T. C. Pryse	J. S. Webb
E. C. Hardin	S. C. Ray	Dr. T. R. Welch
A. R. Hudson	B. F. Reynolds	W. N. Winn
Adam W. Huff	Sherman Robbins	Dr. W. S. Yazell
Robt. Humphreys	Lee Rogers	—70
R. O. Huntsman	E. A. Roth	

Those who voted in the negative were:

J. W. Johnson —1

Resolved that the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Then House Bill No. 181 and No. 374 were sent to the Enrolling Clerk of the House.

Mr. Bryson called up for consideration Senate amendment to House Bill No. 424.

Said Senate amendment by way of substitute reads as follows, viz:

An Act to appropriate $5,000 annually for the use and benefit of the Kentucky State Horticultural Society to be used by it for the purpose of fostering and encouraging the Horticultural Interests in the State.

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That the sum of five thousand ($5,000.00) dollars is hereby annually appropriated out of the general expenditure fund of the State, and not otherwise appropriated, for the use and benefit of the Kentucky State Horticultural Society.

§ 2. Said money when paid over to the Said Kentucky State Horticultural Society, as provided for in this act, shall be used by the said Society for the purpose of fostering and encouraging the horticultural interests of the State; for the purpose of encouraging better methods of production, packing and marketing; for the purpose of disseminating scientific knowledge acquired by the experimental station and other co-operative stations touching on horticultural matters and for the purpose of providing meetings whereby growers may exchange ideas of value and learn better methods of handling and producing horticultural products by observation of prize horticultural products and accessories; and for the purpose of printing an annual report of such proceedings and for the purpose of assembling and displaying horticultural exhibits for the purpose of advertising the State's horticultural advantages, and for the purpose of offering prizes to stimulate improved methods of horticulture within the State, and for such other uses as may in the opinion of the directors of the State Horticultural Society tend to the best promotion of the horticultural development of the State of Kentucky.

§ 3. Upon requisition signed by the President of the Kentucky Horticultural Society, the State Auditor is directed to draw his warrant upon the State Treasurer in favor of the Treasurer of the Kentucky State Horticultural Society for any amount not in excess of the amount herein appropriated.

§ 4. The Society shall make an annual report to the Governor of Kentucky giving in detail the operation and expenditures under this act and the Treasurer of the Society shall give bond for $5,000 with a surety company as surety, same to be approved by the Governor in writing.

§ 5. Whereas, fruit growing is one of the most potential sources of wealth in this Commonwealth and if properly developed would result in large increases in tangible wealth of the people of the Commonwealth; and, whereas, the need of the development of the horticultural interests of the State is at this time pressing, an emergency is hereby declared to exist and this act shall be effective from and after its passage and approval by the Governor.

Mr. Bryson moved that the House do concur in said amendment.

Said motion was adopted.

Said amendment by way of substitute was concurred in.

Ordered that said bill be read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Robt. Humphreys	W. P. Scott
L. H. Ballard	R. O. Huntsman	E E. Shannon
H. H. Barnes	J. W. Johnson	Dr. B. F. Shields
W. T. Beckham	Henry Kaufman	E. G. Skiles
S. M. Bennett	W. L. Kimbrough	S. G. Smith
W. M. Boling	J. M. Knott	H. A. Spillman
Rodney G. Bryson	Hebron Lawrence	R. Lee Stewart
Roy J. Cain	I. S. Mason	Wm. A. Stewart
W. T. Carner	A. J. McCandless	Frank L. Strange
J. F. Carr	R. L. McFarron	John B. Thomas
Charles M. Ciarlo	Harry J. Meyers	J. Mack Thompson
A. S. Cooper	Claude D. Minor	Dr. D. J. Travis
B. L. Cox	John T. Murphy	C. B. Truesdell
J. S. Cruse	Estill W. Neel	John L. Trumbo

H. N. Dean	T. P. Oliver	Fred C. VanHoose
H. C. Duffy	T. C. Pryse	Daniel Vose
Dr. T. H. Gamblin	S. C. Ray	J S. Webb
B. J. Geohringer	E. F. Reynolds	Dr. T. R. Welch
A. F. Hanberry	Sherman Robbins	R. E. Wilborn
E. C. Hardin	Lee Rogers	V. M. Williamson
D. J. Howard	B. A. Roth	W. N. Winn
Adam W. Huff	Chas. R. Scott	Dr. W. S. Yazell

—66

Resolved that the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered that the action of the House on this bill be certified to the Senate and that said bill as amended be enrolled.

Mr. Bryson, of the Committee on Rules, called up for consideration Senate amendments to House Bill No. 476.

Senate Amendment No. 1 is as follows, viz:

Amend House Bill 476 by striking out the word county in line three of the preamble and inserting in lieu thereof the words "and Todd Counties."

Said amendment was concurred in.

Senate Amendment No. 2 is as follows, viz:

Amend House Bill 476 by striking out the words "Christian County" in line 4 and 5 and inserting in lieu thereof the words "in Christian and Todd Counties."

Said amendment was concurred in.

Ordered that said bill be engrossed and read the third time.

Mr. Bryson moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with.

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams
H. H. Barnes
S. M. Bennett
W. M. Boling
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
Charles M. Ciarlo
A. S. Cooper
B. L. Cox
J. S. Cruse
P. A. Day
H. C. Duffy
Dr. T. H. Gamblin
Dr. W. L. Gossett
A. F. Hanberry
E. C. Hardin
D. J. Howard
Adam W. Huff
Robt. Humphreys
J. W. Johnson
Henry Kaufman
Griffin Kelly
W. L. Kimbrough
Joseph Lazarus
I. S. Mason
A. J. McCandless
R. L. McFarron
Harry J. Meyers
Estill W. Neel
Chas. A. Nelson
T. C. Pryse
B. F. Reynolds
Sherman Robbins
Lee Rogers
Chas. R. Scott
W. P. Scott
Dr. B. F. Shields
S. G. Smith
R. Lee Stewart
Wm. A. Stewart
Frank L. Strange
T. R. Stultz
J. Mack Thompson
Dr. D. J. Travis
C. B. Truesdell
Fred C. VanHoose
Daniel Vose
J. S. Webb
Dr. T. R. Welch
W. G. Wheeler
R. E. Wilborn
V. M. Williamson
Dr. W. S. Yazell
—55

Those who voted in the negative were:

S. C. Ray —1

Resolved that the title thereof be as aforesaid.

Mr. Bryson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered that the action of the House in concurring in said amendments be certified to the Senate and that said bill as amended be enrolled.

Mr. Bryson moved that the following bills be read the first time and placed in the calendar.

Said motion was agreed to.

The following bills were then read at length the first time and ordered to be placed in the calendar, viz:

Senate Bill No. 132. An Act to amend an act entitled, "An Act to amend an act entitled, 'An Act for the government of cities of the second class in the Commonwealth of Kentucky,' which was approved March 19, 1894, and thereafter in due course became a law, and as same, has since been amended, all of which said act and amendments now appear as Article 3, of Chapter LXXXIX, of the Kentucky Statutes, in John D. Carroll's Edition thereof in 1909," which was approved on March 21, 1910, and thereafterwards became a law.

Senate Bill No. 141. An Act to amend and re-enact Sections 4282 and 4283 of Kentucky Statutes, Carroll's Edition of 1918.

Senate Bill No. 334. An Act to amend Section 4337 of Volume 2 of Carroll's 1915 Edition of the Kentucky Statutes.

Senate Bill No. 231. An Act requiring the teaching in the public schools of humane treatment of animals.

Senate Bill No. 155. An Act to repeal, amend and reenact section 1847, Kentucky Statutes, Carroll's Edition, 1915, relating to Commissioners to constitute Fiscal Courts, and providing for special election therefor.

Senate Bill No. 116. An Act repealing Section No. 2241 of Carroll's Kentucky Statutes, Carroll's Edition, 1915, relating to Commissioners to constitute Fiscal Courts, and providing for special election therefor.

Senate Bill No. 364. An Act relating to the levy and assessment of taxes and providing the manner of assessment and collection of taxes in all schools in the Commonwealth maintained, operated or conducted under any charter granted by this Commonwealth.

Senate Bill No. 362. An Act relating to the Clerk of the Court of Appeals, requiring him to make monthly reports under oath of all moneys received by him on account of his official duties or position from all sources, and to pay over to the Auditor the amounts so received; deputies allowed; and making provision for the salary of the Clerk of the Court of Appeals and his deputies.

Senate Bill No. 359. An Act to provide for the construction and maintenance, in cities of the first class, of memorials in honor of the soldiers and sailors furnished by such cities and the counties wherein situated, to the United States Army and Navy during the recent World War; providing for the voting of a bond issue in such cities; and for the acceptance of gifts and donations, for such purposes; partially repealing Sections 2827, Kentucky Statutes; and for related purposes, including the creation of a Memorial Commission in such cities.

Senate Bill No. 135. An Act to amend Section 540, Kentucky Statutes, Carroll's 1915 Edition, relating to corporations.

Senate Bill No. 269. An Act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of such contracts, stocks, bonds, or other securities, and an inspection of the business of said persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents, as may be necessary to prevent fraud in the sale within this State of any contracts, stocks, bonds, or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

Senate Bill No. 319. An Act to authorize the incorporation in each county of the State of Kentucky of a County Farm Bureau for the advancement and improvement of agriculture, home economics, animal industry and horticulture co-operating with the College of Agriculture of the University of Kentucky and the United States Department of Agriculture, to define the powers and rights of such farm bureaus and its members, to provide for appropriation by county fiscal courts or county commissioners in aid thereof and to provide for the federation of such County Farm Bureaus.

Senate Bill No. 144. An Act relating to children who are now or hereafter may become dependent, neglected or delinquent in counties containing cities of the first class in the Commonwealth of Kentucky, and providing for the selection and appointment of commissioners, referees and probation officers in such counties and prescribing their terms of office, their duties and remuneration.

Senate Bill No. 331. An Act fixing the salary of the Deputy Insurance Commissioner.

House Bill No. 549. An Act further regulating elections by prescribing the qualifications of women to vote in the first

Primary election held after they are entitled to vote, either by State law or under the provisions of the Federal Constitutional Amendment giving to women the right to vote, and prescribing their qualifications in all primary elections held subsequent to such first Primary election; prescribing the method of the registration of women in the first registration after they become entitled to register either by State law or under the provisions of the Federal constitutional amendment giving to women the right of suffrage; providing for the re-districting of each county into voting precincts to accommodate the women voters when they become entitled to vote; and providing for additional ballots in Primary elections and in all general elections at and in which women are entitled to vote.

House Bill No. 543. An Act amending sub-section 1 of Section 3643, Kentucky Statutes, Carroll's 1915 Edition, by eliminating from said section the words, "the cost of constructing or re-constructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city."

House Bill No. 441. An Act to prohibit owners or claimants of land under Junior Patents being defeated in their rights by pleading of old Virginia or Kentucky Land Grants or Patents.

House Bill No. 498. An Act to repeal Sub-section 24 and Sub-section 32 of Section 68-b, Carroll's 1918 Edition of the Kentucky Statutes, relating to taxation of dogs, their detention at night and their prosecution by state officials.

House Bill No. 520. An Act to amend Section 762 Kentucky Statutes, Carroll's Edition 1918, relating to compensation to attorneys and agents of department and State Treasurer.

Mr. Bryson moved that the bills read into the calendar on yesterday be read the second time by their title only and placed in the Orders of the Day.

Said motion was agreed to.

Then the House took up for consideration from the calendar bills of the following titles:

Senate Bill No. 11, entitled: An Act to create a commission for the purpose of making a survey of the educational systems of Kentucky supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

Senate Bill No. 201, entitled: An Act authorizing any political party having a constituted authority for its government and regulation, and which at the last preceding election at which Presidential electors were voted for cast at least twenty per cent of the total vote cast at said election in this State, to prescribe, through its governing authority, the method of nominating its candidates for Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, Labor and Statistics, Superintendent of Public Instruction, Clerk of Court of Appeals and United States Senators.

Senate Bill No. 250, entitled: An Act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per car load.

Senate Bill No. 140, entitled: An Act to require sign boards or index boards to be placed on the public highway in certain counties of this Commonwealth, and providing expenses therefor.

Senate Bill No. 199, entitled: An Act authorizing consolidated school districts and county boards of education to issue bonds for the purpose of providing funds for purchasing grounds and constructing buildings for school purposes.

Senate Bill No. 206, entitled: A Bill providing for the establishment of an independent consolidated graded and high school.

Senate Bill No. 26, entitled: An Act providing the granting of scholarships at the Kentucky State University and the State Normal Schools to all persons who were engaged in the military or naval services of the United States during the war with Germany, and who were citizens of this State at the time of their enlistment; providing the requirements necessary to obtain same; and defining the rights and privileges to be given.

Senate Bill No. 249, entitled: An Act to repeal and reenact Section 1112 Kentucky Statutes relating to change of venue in criminal cases, with an emergency thereto.

Senate Bill No. 166, entitled: An Act to provide physical education and training for all pupils in the common, graded, state normal and all other public schools of Kentucky, supported wholly or in part by the State and prescribing the methods of carrying the same into effect.

Senate Bill No. 88, entitled: An Act to amend and reenact Sections 1469, 1506 and 1541, Kentucky Statutes, Carroll's 1915 Edition, relating to the compensation of officers of election and registration officers, and hours of election.

Senate Bill No. 80, entitled: An Act to repeal and reenact Section 495 of Chapter XIV of the Civil Code of Practice, of the State of Kentucky, Carroll's Edition, 1919, relating to Dower—Sale of, and Compensation for.

Senate Bill No. 204, entitled: An Act to amend, revise and re-enact Sections 3174, 3176, 3178, 3179 and 3181 of Kentucky Statutes, same being a part of subdivision 8 of Chapter LXXXIX thereof.

Senate Bill No. 103, entitled: An Act to amend an Act entitled "An Act to establish an insurance and annuity fund

for teachers in the public schools of cities of the second class in the State of Kentucky, and to regulate the collection, management and disbursement thereof," which Act is known as Section 3235-e, Carroll's Edition, Kentucky Statutes.

Senate Bill No. 72, entitled: An Act to amend an Act entitled: "An Act to Establish a Board of Examiners for Trained Nurses and to regulate the practice of professional trained nursing in the State of Kentucky," approved March 13, 1914, and as amended by an act approved March 24, 1916.

Senate Bill No. 200, entitled: An Act to amend Section 63 of the Kentucky Statutes, Carroll's Edition, 1915, and Acts amendatory thereto, relating to the State Board of Health, by repealing, amending, and re-enacting Sections 2047 and 2053 of said Statutes, and by adding Sections creating other Bureaus within said Board, and by further defining the duties of said Board.

Senate Bill No. 117, entitled: An Act to provide for special police judges in the trial of cases and violation of ordinances in cities of the fourth class when the regular police judge cannot act.

Senate Bill No. 125, entitled: An Act to amend and reenact section 4042-a-12, Kentucky Statutes, Carroll's Edition, Volume 3, 1918, relating to the manner of assessment of property for taxation and duties of Tax Commissioners.

Senate Bill No. 274, entitled: An Act to permit banks authorized to do business in Kentucky to act as fiduciaries.

Senate Bill No. 19, entitled: An Act to amend and reenact Section twenty-eight hundred and thirty-four (2834), Carroll's Kentucky Statutes, Edition of 1915, being Section seventy-one (71) of the Act entitled "An Act for the Government of Cities of the First Class," approved July 1, 1893.

Senate Bill No. 289, entitled: An Act providing for and authorizing an appeal in all proceedings now pending in the

county courts of any county of this Commonwealth, or that may hereafter be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of the Commonwealth, or for the purpose of collecting the inheritance tax due by any estate.

Senate Bill No. 298, entitled: An Act to amend and reenact Section 1403 of the Kentucky Statutes, as amended by an Act of 1912.

Senate Bill No. 230, entitled: An Act to amend Section 3 of Chapter I of the Acts of the General Assembly of 1916, relating to the granting of free passes or free transportation by the common carriers of this Commonwealth.

Senate Bill No. 170, entitled: An Act relating to the collection of inheritance tax, requiring certain reports of county court clerks and imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax.

Senate Bill No. 164, entitled: An Act to prevent the spread of hog cholera and other diseases, regulating the business of disposing of the bodies of dead animals by the process of burying, burning or cooking; providing for the issuance of licenses to persons, firms or corporations, permitting them to follow such business; providing for the inspection of plants where such business is carried on; providing for the violation of any of its provisions.

Senate Bill No. 84, entitled: An Act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control and lease the mussel shell beds lying and being in the Ohio River belonging to or controlled by the State of Kentucky, and to regulate the catching of said shells and to have authority to co-operate with the United States Government in its propagation of mussels, and imposing penalties for violation of the provisions of this act.

Senate Bill No. 153, entitled: An Act to repeal and reenact Chapter CLXVIII of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled, "An Act making unlawful to buy, bargain, sell, loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation, or to harbor a person in the possession of or in the operation of an illicit or "moonshine" still and providing a penalty for any violation of this Act; and further fixing the burden of proof, and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this Act, out of the county levy of the county in which the indictment may be returned."

Senate Bill No. 29, entitled: An Act concerning dwelling houses in cities of the first class, and relating to their construction, reconstruction, alteration, maintenance, light and ventilation, sanitation, inspection, protection, safety, control, and regulation, and providing penalties for violation of this Act.

Senate Bill No. 160, entitled: An Act to amend Section 334 of the Civil Code of Practice, Sixth Edition, 1919, edited by Hon. John D. Carroll.

Senate Bill No. 208, entitled: An Act consolidating the office of jailer in this Commonwealth with that of sheriff in all counties other than those containing cities of the first and second class.

Senate Bill No. 159, entitled: An Act increasing and fixing the salaries of district detectives to the Commonwealth's Attorney, stenographer to Commonwealth's Attorney, and supervisor of parents, in counties in this Commonwealth containing a population of more than two hundred thousand.

Senate Bill No. 47, entitled: An Act to amend and reenact Section 1069 of the Kentucky Statutes prohibiting the

county judge from practicing law in certain cases and providing certain duties of the county judge and county clerk.

Senate Bill No. 243, entitled: An Act for the protection of game birds and game animals; fixing open and closed seasons for the same; fixing the bag limit for birds and animals killed in open season; prohibiting the snaring of rabbits at any time; and providing penalty for the violation of this Act.

Senate Bill No. 312, entitled: An Act to give credit to defendants on terms of imprisonment in the county jail who have been convicted in the circuit court and where confined in the county jail after an examining trial and unable to give bail.

Senate Bill No. 245, entitled: An Act to amend an Act entitled, "An Act to prevent idleness in the Commonwealth of Kentucky during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of the State."

Senate Bill No. 345, entitled: An Act to amend and reenact Sub-section 1 of Section 1020; Sub-Section 4 of Section 1020; Sub-section 6 of Section 1020 and Sub-section 7 of Section 1020, of the Kentucky Statutes, Carroll's 1915 Edition and to establish a Domestic Relations Division of the Chancery Branch of Circuit Courts having seven judges, this division to have jurisdiction of all actions or special proceedings involving divorce, alimony, or both, and of all cases and matters coming within the terms and provisions of an Act entitled: "An Act fixing and defining the powers of the several county courts within this Commonwealth with reference to persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected, or delinquent, and providing how such powers may be exercised," approved March 19, 1908, also of all cases and matters coming within the terms and provisions of an Act entitled,

"An Act relating to children who are now or who may hereafter become dependent, neglected or delinquent, to define these terms and fixing and defining the powers of the several county courts within this Commonwealth with reference to the care, treatment and control of such children and to provide for the means whereby such powers may be exercised," approved March 19, 1908, also of all cases, powers and matters coming within the terms and provisions of an Act entitled, "An Act to provide for the punishment of persons responsible for, or directly promoting or contributing to the conditions that render a child dependent, neglected or delinquent," approved March 23, 1910, and all Acts amending these said Acts.

Senate Bill No. 112, entitled: An Act to furnish to all the counties in Kentucky the various acts of the Kentucky Legislature, and the Journal of the House and Senate of said Legislature, and Kentucky Reports where same have been destroyed by fire at a time when the court house of said county was destroyed by fire.

Senate Bill No. 70, entitled: An Act to amend and reenact Section 2810, Carroll's Kentucky Statutes, Edition of 1915, being Section 48 of an Act entitled "An Act for the government of cities of the first class," approved July 1, 1893, as amended by an Act approved February 4, 1894, and by an Act approved March 15, 1912.

Senate Bill No. 358, entitled: An Act authorizing the Governor to appoint a commissioner to go to England and accept and receive from the British Government the battle flag of the Kentucky troops captured by the British forces in the battle of the River Raisin, and to bring and deliver same to the Governor of this Commonwealth, and making an appropriation therefor.

Senate Bill No. 242, entitled: An Act prescribing the qualifications of deputy sheriffs, deputy constables and patrolmen.

Senate Bill No. 182, entitled: An Act to define and prohibit criminal syndicalism and sedition and to prohibit conduct, publications, assemblies and the use of property for the promotion of criminal syndicalism and sedition, prescribing the duties of peace officers and providing penalties.

Senate Bill No. 176, entitled: An Act repealing Section 4385-a, and Chapter CXXIII of the Acts of 1916 and re-enacting in lieu thereof an entire new chapter, relating to employees of the Superintendent of Public Instruction.

Senate Bill No. 333. An Act to amend and re-enact Section 3105 of the Kentucky Statutes, 1915 Edition, relating to public improvements in cities of the second class.

Senate Bill No. 311, entitled: An Act to enable any city of the first class to provide for constructing, erecting, and equipping buildings and grounds of the college of arts and sciences of its municipal university.

The provision of the Constitution as to the second reading of said bills at length being dispensed with,

Said bills were severally read the second time by their titles only and ordered to be placed in the Orders of the Day.

Mr. Ray, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

House Bill No. 287. An Act to provide for the payment of premiums on bonds executed by State officers elected by the voters of the State at large.

House Bill No. 227, entitled: An Act concerning the practice of the healing art in this State; relating to applica-

tions, examinations, and certificates, and to fees therefor; and providing for representation in such examinations of the various schools and systems of diagnosing and treating human ailments, and providing penalties.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Ray, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a bill of the following title, viz.:

Senate Bill No. 21. An Act to abolish and recreating County Board of Education, prescribing its duties, fixing its

tenure and compensation, and providing for the election or appointment of a County Superintendent, fixing his qualification and compensation and tenure of office and prescribing his duties, fixing his bond and providing for a minimum tax of thirty cents on the one hundred dollars worth of taxable property and a capitation tax of one dollar for school purposes, and providing for the appointment of district trustees, fixing their duties and repealing Sub-sections 3, 4, 6, 15 and 16 of Section 4426-a, and all laws and parts of laws in conflict with this Act are hereby repealed.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

Mr. Barnes offered the following communication from school girls, viz.:

* * * * * * * *

Said communication was read at length and on motion of Mr. Barnes was ordered to be spread upon the Journal.

Mr. Bryson moved that the House do now adjourn.

Said motion was agreed to.

Then the House at 4:15 P. M. adjourned.

THURSDAY, MARCH 11, 1920.

The House was called to order at 10:00 A. M.

The House was opened with prayer by Rev. McGlothlin, of the Baptist Church.

The roll-call to ascertain the presence of a quorum resulted as follows:

Sidney Alfrey
L. H. Ballard
H. H. Barnes
S. M. Bennett
J. M. Billiter
Jo F. Bosworth
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
A. S. Cooper
B. L. Cox
J. S. Cruse
P. A. Day
H. N. Dean
J. B. Denues
H. C. Duffy
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
J. W. Geveden
Dr. W. L. Gossett
A. F. Hanberry
D. J. Howard
A. R. Hudson
Adam W. Huff
R. O. Huntsman
J. W. Johnson
Henry Kaufman
Griffin Kelly
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Rev. J. A. Lee
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
Claude D. Minor
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
S. C. Ray
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
Chas. R. Scott
W. P. Scott
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
S. G. Smith
H. A. Spillman
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John W. Swope
John B. Thomas
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
Daniel Vose
A. M. Wash
J. S. Webb
W. G. Wheeler
R. E. Wilborn
W. N. Winn
Dr. W. S. Yazell

Present 85

On motion of Mr. Lazarus, the reading of the Journal of Wednesday, March 10, 1920, was dispensed with and the Journal approved.

Mr. Billiter called up House Resolution No. 30, entitled:

Resolution authorizing the Auditor of Public Accounts to draw his warrant for $60.21 in favor of Mary K. Ratliff, a teacher in the public schools of Beldman, Pike County, Kentucky, and the treasurer to pay the same.

Said resolution reads as follows:

Whereas, Mary K. Ratliff, a teacher in the public schools of Pike county, possessing the necessary qualifications and holding a regular certificate for such purpose, taught in the free common schools of said county in District No. 26, in the year 1911, — months, and received compensation for all said term except the last month thereof; and

Whereas, the superintendent of schools of Pike county, for said year at the time he settled with the teacher turned into the said treasury all the money on hands with which to pay teachers for said year in Pike county, including the $60.21, the amount due Mary K. Ratliff, and the said Mary K. Ratliff has not been paid for her services as teacher for said month,

Now, therefore, be it resolved by the House of Representatives, the Senate concurring therein,

That there is and shall be appropriated out of any funds in the State Treasury, not otherwise appropriated, the sum of $60.21, for the use and benefit of Mary K. Ratliff, of Beldman, Pike County, Kentucky, to pay her for her services as teacher in sub-school District No. 26, Division —, Pike County, Kentucky, for the year 1911, and the Auditor is hereby authorized to draw his warrant in favor of said Mary K. Ratliff for said amount, and the Treasurer is hereby authorized to pay the same.

The yeas and nays being taken upon the passage of said resolution resulted as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Dr. B. F. Shields
L. H. Ballard	Frank Kennard	S. G. Smith
S. M. Bennett	J. M. Knott	H. A. Spillman
J. M. Billiter	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Rev. J. A. Lee	John T. E. Stites
J. F. Carr	I. S. Mason	Frank L. Strange
T. L. Caudel	A. J. McCandless	T. R. Stultz
Charles M. Ciarlo	R. L. McFarron	John W. Swope
A. S. Cooper	Harry J. Meyers	John B. Thomas
B. L. Cox	Claude D. Minor	J. Mack Thompson
J. S. Cruse	John T. Murphy	Dr. D. J. Travis
P. A. Day	Estill W. Neel	C. B. Truesdell
J. M. Foster	Chas. A. Nelson	John L. Trumbo
B. J. Geohringer	S. C. Ray	Fred C. VanHoose
J. W. Geveden	B. F. Reynolds	Daniel Vose
Dr. W. L. Gossett	J. L. Richardson	A. M. Wash
A. L. Hamilton	Sherman Robbins	J. S. Webb
A. F. Hanberry	Lee Rogers	Dr. T. R. Welch
E. C. Hardin	B. A. Roth	V. M. Williamson
Talbert Holliday	Dr. Lewis Ryans	W. N. Winn
D. J. Howard	Chas. R. Scott	Dr. W. S. Yazell
A. R. Hudson	W. P. Scott	—70
J. W. Johnson	E. E. Shannon	

So said resolution was adopted.

Mr. Billiter moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hanberry moved that the House have a session tonight from 7:30 P. M. to 9:30 P. M.

Said motion was agreed to.

Mr. Meyers moved that the Sergeant-at-Arms see that every member is in his seat tonight or be fined his per diem.

Mr. Lee moved that when the House adjourn today it be to reconvene at 10:00 A. M. tomorrow.

Mr. Meyers moved to amend this motion by providing that today's session shall be indefinitely extended, and that when the House shall adjourn today it shall reconvene tomorrow at 10:00 A. M.

Said amendment was adopted.

Then said motion as amended was adopted.

Mr. Lazarus moved to suspend the Rules and take up for immediate consideration the bills in the Orders of the Day.

Said motion was agreed to.

By unanimous consent, Mr. Cruse introduced the following bill:

House Bill No. 553, entitled: An Act to provide for the removal of sand or gravel from that portion of the Ohio River between the thread of the main current and the low water mark on the Illinois, Indiana and Ohio shores; providing for a tax thereon and the collection thereof, and providing for permits to be issued by the Secretary of State.

Said bill is ordered to be printed and referred to the Committee on Rules.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 239. An Act to amend Section 203 of the Criminal Code, fixing the number of peremptory challenges allowed to defendants in criminal cases.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That Section 203 of the Criminal Code be amended by striking therefrom the word "fifteen" and substituting therefor, the word "eight," so that said section as amended, shall read as follows:

Section 203. The defendant is entitled to eight peremptory challenges in prosecutions for felony, and to three in prosecutions for misdemeanor.

§ 2. This Act shall be in full force and effect from and after its passage and approval by the Governor.

Mr. VanHoose moved the previous question.

The Speaker stated: "Shall the main question now be ordered?"

Said question was decided in the affirmative.

Mr. Lee moved to table said bill.

Said motion was lost.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	Dr. B. F. Shields
H. H. Barnes	W. L. Kimbrough	R. Lee Stewart
Roy J. Cain	Joseph Lazarus	Wm. A. Stewart
W. T. Carner	I. S. Mason	T. R. Stultz
J. F. Carr	A. J. McCandless	C. B. Truesdell
H. N. Dean	R. L. McFarron	John L. Trumbo
J. B. Denues	Harry J. Meyers	Fred C. VanHoose
J. M. Foster	Estill W. Neel	Daniel Vose
Dr. T. H. Gamblin	S. C. Ray	A. M. Wash
B. J. Geohringer	Sherman Robbins	J. S. Webb
A. F. Hanberry	Lee Rogers	W. N. Winn
D. J. Howard	B. A. Roth	Dr. W. S. Yazell
A. R. Hudson	Chas. R. Scott	—40
Adam W. Huff	E. E. Shannon	

Those who voted in the negative were:

Lon Adams	Frank Kennard	S. G. Smith
S. M. Bennett	J. M. Knott	H. A. Spillman
J. M. Billiter	Dr. S. D. Laughlin	John T. E. Stites
Rodney G. Bryson	Hebron Lawrence	Frank L. Strange
T. L. Caudel	Rev. J. A. Lee	John W. Swope
A. S. Cooper	H. C. McLellan	John B. Thomas
B. L. Cox	Claude D. Minor	J. Mack Thompson
P. A. Day	Mack J. Morgan	J. H. Thompson
H. C. Duffy	John T. Murphy	Dr. D. J. Travis
Dr. W. L. Gossett	Chas. A. Nelson	J. Wood Vance
A. L. Hamilton	B. F. Reynolds	Dr. T. R. Welch
E. C. Hardin	J. L. Richardson	W. G. Wheeler
Robt. Humphreys	Dr. Lewis Ryans	R. E. Wilborn
J. W. Johnson	W. P. Scott	—43
Griffin Kelly	H. G. Skiles	

So said bill was rejected.

Mr. Lazarus moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed the following bills:

House Bill No. 434, with an amendment.

House Bill No. 435, with an amendment.

House Bill No. 467.

Ordered, that said bill be enrolled.

House Bill No. 415.

Ordered, that said bill be enrolled.

House Bill No. 158, with an amendment.

House Bill No. 53.

Ordered, that said bill be enrolled.

House Bill No. 346.

Ordered, that said bill be enrolled.

House Bill No. 513.

Ordered, that said bill be enrolled.

House Bill No. 471.

Ordered, that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, called up House Bill No. 111.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

House Bill No. 111. An Act entitled, An Act to create a commission for the purpose of making a survey of the educational systems of Kentucky, supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expense of the work; declaring the existence of an emergency.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That the Governor be and is hereby authorized and empowered to appoint a commission of five persons, to make a survey of the public educational system of the State, including all schools and educational institutions supported in whole or in part by public taxation, for the sake of determining the efficiency of their work, and to report its findings, with recommendations for improvement, to the Governor.

§ 2. It shall be the duty of said commission to employ experts, not residents of Kentucky, to make a thorough survey of the school system of the State as to organization, coordination, administration and general efficiency, and to conduct such survey in accordance with approved scientific standards of educational research.

§ 3. That the members of said commission shall serve without pay, except actual expenses incurred in the discharge of their duties. Said commission is hereby authorized and empowered to purchase such supplies and employ such clerical help in addition to the expert service hereinbefore provided, as may be necessary for the proper discharge of its duty within the limitation herein prescribed.

§ 4. That the commission and its employees shall be accorded free access to all public records. All persons having charge of any schools or educational institutions supported wholly or in part by public funds shall furnish all the information available and render all the assistance possible in making the survey complete; and any person who willfully withholds records or information within his possession or obstructs the work of the commission in any way, shall be fined in any sum not less than $100.00 or more than $500.00 in any court of competent jurisdiction.

§ 5. That there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of $10,000.00 or as much thereof as may be necessary, for the purpose of defraying the expense of the survey hereby proposed.

§ 6. That on account of the pressing need for an early re-organization of the school system of the State, an emergency is hereby declared to exist and this law shall take effect from and after its passage and approval by the Governor.

Mr. Wash moved to substitute Senate Bill No. 11, which has passed the Senate and which is in the Orders of the Day, in the House, for House Bill No. 111.

Said motion was agreed to.

Said Senate Bill No. 11, which was substituted for House Bill No. 111, is as follows:

Senate Bill No. 11. An Act to create a commission for the purpose of making a survey of the educational systems of Kentucky supported wholly or in part from public funds; prescribing the duties and powers of said commission; fixing penalties for failure of persons in charge to co-operate with them; appropriating funds for the expenses of the work; declaring the existence of an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That the Governor be, and is hereby authorized and empowered to appoint a commission of five persons, to make

a survey of the public educational system of the State, including all schools and educational institutions supported in whole or in part by public taxation, for the sake of determining the efficiency of their work, and to report its findings, with recommendations for improvement, to the Governor.

§ 2. It shall be the duty of said commission to employ experts, not residents of Kentucky, to make a thorough survey of the school system of the State as to organization, co-ordination, administration and general efficiency, and to conduct such survey in accordance with approved scientific standards of educational research.

§ 3. That the members of said commission shall serve without pay, except actual expenses incurred in the discharge of their duties. Said commission is hereby authorized and empowered to purchase such supplies and employ such clerical help in adition to the expert service hereinbefore provided, as may be necessary for the proper discharge of its duty within the limitation herein prescribed.

§ 4. That the commission and its employes shall be accorded free access to all public records. All persons having charge of any schools or educational institutions supported wholly or in part by public funds shall furnish all the information available and render all the assistance possible in making the survey complete, and any person who wilfully withholds records or information within his possession or obstructs the work of the commission in any way, shall be fined in any sum not less than $100.00 or more than $500.00 in any court of competent jurisdiction.

§ 5. That there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of $10,000.00 or as much thereof as may be necessary, for the purpose of defraying the expense of the survey hereby proposed. Provided, that this appropriation is to be charged to the school funds of the State.

§ 6. That on account of the pressing need for an early re-organization of the school system of the State an emergency is hereby declared to exist and this law shall take effect from and after its passage and approval by the Governor.

Mr. Skiles offered the following amendment to the substitute:

Amend House Bill No. 111 by striking out in Section 2, lines 1 and 2, the words "not residents of Kentucky."

Said amendment was disagreed to.

Mr. Wash offered the following amendment to the substitute:

Amend by striking from Section 5, after the word "proposed" the following: "Provided, that this appropriation is to be charged to the school funds of the State."

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were:

Sidney Alfrey	A. R. Hudson	Lee Rogers
L. H. Ballard	Adam W. Huff.	B. A. Roth

H. H. Barnes	Henry Kaufman	Dr. Lewis Ryans
S. M. Bennett	W. L. Kimbrough	W. P. Scott
J. M. Billiter	J. M. Knott	S. G. Smith
Rodney G. Bryson	Dr. S. D. Laughlin	R. Lee Stewart
Roy J. Cain	Hebron Lawrence	Wm. A. Stewart
W. T. Carner	Joseph Larazus	T. R. Stultz
J. F. Carr	I. S. Mason	J. H. Thompson
Charles M. Ciarlo	A. J. McCandless	John L. Trumbo
A. S. Cooper	R. L. McFarron	Fred C. VanHoose
J. S. Cruse	H. C. McLellen	Daniel Vose
H. N. Dean	Harry J. Meyers	A. M. Wash
J. B. Denues	Mack J. Morgan	J. S. Webb
J. M. Foster	Estill W. Neel	R. E. Wilborn
B. J. Geohringer	T. P. Oliver	V. M. Williamson
A. F. Hanberry	S. C. Ray	Dr. W. S. Yazell
E. C. Hardin	J. L. Richardson	—55
Talbert Holliday	Sherman Robbins	

Those who voted in the negative were:

Lon Adams	Frank Kennard	Frank L. Strange
T. L. Caudel	Claude D. Minor	John W. Swope
B. L. Cox	John T. Murphy	John B. Thomas
P. A. Day	Chas. A. Nelson	Dr. D. J. Travis
J. W. Geveden	B. F. Reynolds	J. Wood Vance
Dr. W. L. Gossett	Dr. B. F. Shields	Dr. T. R. Welch
D. J. Howard	H. G. Skiles	W. G. Wheeler
J. W. Johnson	H. A. Spillman	W. N. Winn
Griffin Kelly	John T. E. Stites	—26

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 480. An Act empowering the board of trustees of any graded common school district to condemn any land deemed necessary by said board, not exceeding ten acres, for a site for a graded common school, and providing the manner in which said land may be condemned.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That the board of trustees of any graded common school district shall have the right, when said board has been unable to contract with the owner of any land deemed necessary by said board for a site for a graded common school, to condemn said land; provided, that said board shall not have the power to acquire by condemnation exceeding ten acres.

§ 2. All condemnation proceedings herein provided for shall be conducted in the same manner as is provided by law for condemning land for railroad purposes.

§ 3. Whereas, there now exists cases where the board of trustees of graded common school districts have been unable to acquire the necessary land for school sites by contract; and whereas, by reason of such failure the districts affected are unable to furnish to the school children proper and adequate school facilities, an emergency is declared to exist, and this act shall take effect from and after the date of its passage and approval by the Governor.

Mr. Nelson offered the following amendment:

By adding Section 4: All laws and parts of laws in conflict with this Act are hereby repealed.

Said amendment was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Chas. R. Scott
Sidney Alfrey	Griffin Kelly	W. P. Scott
L. H. Ballard	Frank Kennard	E. E. Shannon
H. H. Barnes	W. L. Kimbrough	Dr. B. F. Shields
S. M. Bennett	J. M. Knott	H. G. Skiles
J. M. Billiter	Hebron Lawrence	S. G. Smith
Roy J. Cain	Joseph Lazarus	H. A. Spillman
W. T. Carner	Rev. J. A. Lee	R. Lee Stewart
J. F. Carr	A. J. McCandless	Wm. A. Stewart
T. L. Caudel	R. L. McFarron	John T. E. Stites
Charles M. Ciarlo	H. C. McLellan	Frank L. Strange
A. S. Cooper	Harry J. Meyers	John W. Swope
B. L. Cox	Claude D. Minor	Dr. D. J. Travis
J. S. Cruse	Mack J. Morgan	C. B. Truesdell
P. A. Day	John T. Murphy	John L. Trumbo
H. N. Dean	Estill W. Neel	J. Wood Vance
J. B. Denues	Chas. A. Nelson	Fred C. VanHoose
H. C. Duffy	T. P. Oliver	Daniel Vose
J. M. Foster	T. C. Pryse	A. M. Wash
J. W. Geveden	S. C. Ray	J. S. Webb
A. F. Hanberry	B. F. Reynolds	Dr. T. R. Welch
E. C. Hardin	J. L. Richardson	R. E. Wilborn
Talbert Holliday	Sherman Robbins	V. M. Williamson
D. J. Howard	Lee Rogers	W. N. Winn
A. R. Hudson	B. A. Roth	Dr. W. S. Yazell
J. W. Johnson	Dr. Lewis Ryans	—77

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 489. An Act providing for the payment, by direction of the Governor, of court costs and expenses of filing and taking of depositions and witnesses' fees in certain proceedings by or on behalf of the Commonwealth to vacate or set aside any order or judgment of the court assessing for taxation for State purposes any property or omitted property, upon the ground of inadequacy, mistake, fraud or other ground, and seeking to cause a larger assessment to be adjudged, and declaring an emergency.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. That in proceedings that may now be pending, or that may hereafter be brought by the Commonwealth, or by the Commonwealth on the relation of some officer authorized to bring such proceedings, wherein it is sought to vacate or set aside any order or judgment of the court assessing for taxation for State purposes any property or omitted property, of the ground of inadequacy of valuation, or on the ground or mistake, or on the ground of fraud, or any other ground, and wherein it is sought to cause a larger assessment to be adjudged, the Governor of this Commonwealth shall, on the written recommendation of the Attorney General, have the power and authority, if he deem it a matter of sufficient importance to the Commonwealth and to the best interest of the Commonwealth so to do, to direct the Auditor of Public Accounts

to draw warrants on the State Treasurer to pay from time to time such court costs as may be incurred on behalf of the Commonwealth, including the cost of taking and filing depositions and witness fees, the latter not to exceed one dollar per day; but no part of the expense of any officer of the Commonwealth, other than the Attorney General, in attending to said work or the taking of said depositions, shall be paid under this provision.

§ 2. In the event the Commonwealth is successful in said proceedings, and the costs of the action are collected, the costs so advanced by the Commonwealth shall be repaid into the treasury.

§ 3. Nothing herein contained shall be construed to authorize the payment of any attorney's fees.

§ 4. Whereas, there is now pending litigation in behalf of the Commonwealth of the character referred to herein, and whereas, said litigation is being delayed to the disadvantage of and loss to the Commonwealth, for want of funds available for the purpose of paying the expenses herein provided for, an emergency is hereby declared to exist, and this act shall take effect from the date of its passage and approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Chas. R. Scott
L. H. Ballard	Griffin Kelly	W. P. Scott
S. M. Bennett	W. L. Kimbrough	Dr. B. F. Shields
J. M. Billiter	Dr. S. D. Laughlin	R. Lee Stewart
Rodney G. Bryson	Hebron Lawrence	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	John T. E. Stites
W. T. Carner	Rev. J. A. Lee	Frank L. Strange
J. F. Carr	A. J. McCandless	T. R. Stultz
T. L. Caudel	R. L. McFarron	John W. Swope
Charles M. Ciarlo	Harry J. Meyers	John B. Thomas
A. S. Cooper	Mack J. Morgan	Dr. D. J. Travis
J. S. Cruse	John T. Murphy	C. B. Truesdell
P. A. Day	Estill W. Neel	John L. Trumbo
H. N. Dean	Chas. A. Nelson	J. Wood Vance
J. B. Denues	T. C. Pryse	Fred C. VanHoose
H. C. Duffy	S. C. Ray	J. S. Webb
J. M. Foster	B. F. Reynolds	Dr. T. R. Welch
Dr. T. H. Gamblin	J. L. Richardson	R. E. Wilborn
A. F. Hanberry	Sherman Robbins	V. M. Williamson
D. J. Howard	Lee Rogers	W. N. Winn
Adam W. Huff	B. A. Roth	Dr. W. S. Yazell
J. W. Johnson	Dr. Lewis Ryans	—65

Resolved, That the title thereof be as aforesaid.

Mr. Ballard moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus called up for consideration the Senate amendments to House Bill No. 467.

Said amendments are as follows:

(1) Amend House Bill 467 by striking from Section 2, beginning with the word "determine," in line 2 thereof, and ending with the word "to," in line 6 of said Section, the fol-

lowing words: "determine, fix, announce and publish, not less than thirty days before the announcement of any such race meeting, the number, value and amount of all purses and prizes to be offered by such person, firm or corporation at such race meeting and to."

(2) Amend House Bill 467 by striking from the title thereof the following words: "and directing the determining, fixing, announcing and publishing the number, value and amount of the purses and prizes to be offered at all race meetings."

Said amendments were concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	B. A. Roth
Sidney Alfrey	Robt. Humphreys	Dr. Lewis Ryans
L. H. Ballard	J. W. Johnson	Chas. R. Scott
S. M. Bennett	Henry Kaufman	W. P. Scott
J. M. Billiter	Griffin Kelly	S. G. Smith
Rodney G. Bryson	Frank Kennard	R. Lee Stewart

Roy J. Cain	W. L. Kimbrough	Wm. A. Stewart
W. T. Carner	J. M. Knott	John T. E. Stites
J. F. Carr	Hebron Lawrence	Frank L. Strange
T. L. Caudel	Joseph Lazarus	T. R. Stultz
Charles M. Ciarlo	Elmer Lusby	John W. Swope
A. S. Cooper	A. J. McCandless	J. H. Thompson
J. S. Cruse	H. C. McLellan	C. B. Truesdell
H. N. Dean	Harry J. Meyers	John L. Trumbo
J. B. Denues	Mack J. Morgan	J. Wood Vance
H. C. Duffy	John T. Murphy	Fred C. VanHoose
J. M. Foster	Estill W. Neel	A. M. Wash
Dr. T. H. Gamblin	Chas. A. Nelson	J. S. Webb
J. W. Geveden	T. C. Pryse	R. E. Wilborn
A. F. Hanberry	B. F. Reynolds	W. N. Winn
E. C. Hardin	J. L. Richardson	Dr. W. S. Yazell
D. J. Howard	Sherman Robbins	—67
A. R. Hudson	Lee Rogers	

Resolved, That the title thereof be as amended.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus moved to take up for consideration the Senate amendment to House Bill No. 434.

Then the House took up for consideration the Senate amendment to House Bill No. 434, which reads as follows:

Amend House Bill 434, as printed, by striking therefrom the figures "$3,000.00" and inserting in lieu thereof the figures "$5,000.00" at the end of line 9 of Section 45 on page 16.

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill as amended in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	W. L. Kimbrough	Dr. B. F. Shields
Sidney Alfrey	J. M. Knott	S. G. Smith
L. H. Ballard	Dr. S. D. Laughlin	R. Lee Stewart
S. M. Bennett	Hebron Lawrence	Wm. A. Stewart
J. M. Billiter	Joseph Lazarus	John T. E. Stites
Rodney G. Bryson	Elmer Lusby	Frank L. Strange
Roy J. Cain	I. S. Mason	T. R. Stultz
W. T. Carner	A. J. McCandless	John W. Swope
J. F. Carr	R. L. McFarron	John B. Thomas
T. L. Caudel	H. C. McLellan	J. Mack Thompson
Charles M. Ciarlo	Mack J. Morgan	Dr. D. J. Travis
J. S. Cruse	John T. Murphy	C. B. Truesdell
H. N. Dean	Estill W. Neel	John L. Trumbo
J. B. Denues	Chas. A. Nelson	J. Wood Vance
B. J. Geohringer	T. P. Oliver	Fred C. VanHoose
A. F. Hanberry	T. C. Pryse	A. M. Wash
E. C. Hardin	B. F. Reynolds	J. S. Webb
A. R. Hudson	J. L. Richardson	Dr. T. R. Welch
Adam W. Huff	Sherman Robbins	W. G. Wheeler

Robt. Humphreys	B. A. Roth	R. E. Wilborn
J. W. Johnson	Dr. Lewis Ryans	V. M. Williamson
Henry Kaufman	Chas. R. Scott	W. N. Winn
Griffin Kelly	W. P. Scott	Dr. W. S. Yazell

—69

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, called up for consideration the Senate amendment to House Bill No. 435.

Then the House took up for consideration the Senate amendment to House Bill No. 435.

Said amendment is as follows:

Amend House Bill 435 as printed by striking therefrom the figures "$3,000.00" and inserting in lieu thereof the figures "$5,000.00" at the end of line 9 of Section 45, on page 16.

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	E. E. Shannon
Sidney Alfrey	Henry Kaufman	Dr. B. F. Shields
L. H. Ballard	Griffin Kelly	S. G. Smith
H. H. Barnes	J. M. Knott	R. Lee Stewart
J. M. Billiter	Dr. S. D. Laughlin	Wm. A. Stewart
Rodney G. Bryson	Joseph Lazarus	John T. E. Stites
Roy J. Cain	Rev. J. A. Lee	T. R. Stultz
W. T. Carner	Elmer Lusby	John W. Swope
J. F. Carr	I. S. Mason	John B. Thomas
Charles M. Ciarlo	A. J. McCandless	J. Mack Thompson
A. S. Cooper	R. L. McFarron	J. H. Thompson
J. S. Cruse	Harry J. Meyers	Dr. D. J. Travis
P. A. Day	John T. Murphy	C. B. Truesdell
H. N. Dean	Estill W. Neel	John L. Trumbo
J. B. Denues	Chas. A. Nelson	Fred C. VanHoose
J. M. Foster	T. P. Oliver	Daniel Vose
Dr. T. H. Gamblin	T. C. Pryse	A. M. Wash
B. J. Geohringer	B. F. Reynolds	J. S. Webb
J. W. Geveden	J. L. Richardson	Dr. T. R. Welch
A. F. Hanberry	Sherman Robbins	R. E. Wilborn
A. R. Hudson	B. A. Roth	W. N. Winn
Adam W. Huff	Dr. Lewis Ryans	Dr. W. S. Yazell
Robt. Humphreys	Chas. R. Scott	—68

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, called up for consideration the Senate amendments to House Bill No. 415.

Then the House took up for consideration said Senate amendments to House Bill No. 415.

Said amendments are as follows:

(1) Amend House Bill 415 in Senate by striking out of line 2, Section 1, the figure and letter "2c" and inserting in lieu thereof the following, "1c."

(2) Insert after the word "corporation" in line 2 of Section 3 the words "engaged in selling gasoline.".

(3) Amend by striking out the following words in lines 4, 5 and 6 of Section 10 thereof, to-wit: "Provided that nothing in any Section of this Act shall apply to gasoline or any substitute therefor sold for the operation of farm tractors or stationary engines."

(4) Amend House Bill 415 by striking out lines 3 and 4 in Section 11.

(5) Amend House Bill 415 by striking out of same the words "or any substitute therefor" wherever same occurs in said bill.

(6) Amend title to House bill 415 by striking out of the title the words "or any substitute therefor" wherever same appears.

Said amendments were concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Dr. S. D. Laughlin	S. G. Smith
L. H. Ballard	Hebron Lawrence	R. Lee Stewart
J. M. Billiter	Joseph Lazarus	Wm. A. Stewart
Rodney G. Bryson	Rev. J. A. Lee	John T. E. Stites
Roy J. Cain	I. S. Mason	T. R. Stultz
W. T. Carner	A. J. McCandless	Dr. D. J. Travis
J. F. Carr	R. L. McFarron	C. B. Truesdell
T. L. Caudel	H. C. McLellan	John L. Trumbo
Charles M. Ciarlo	John T. Murphy	Fred C. VanHoose
J. S. Cruse	Estill W. Neel	Daniel Vose
H. N. Dean	Chas. A. Nelson	A. M. Wash
Dr. T. H. Gamblin	S. C. Ray	J. S. Webb
B. J. Geohringer	J. L. Richardson	R. E. Wilborn
A. F. Hanberry	Sherman Robbins	V. M. Williamson
Adam W. Huff	Lee Rogers	W. N. Winn
Henry Kaufman	B. A. Roth	Dr. W. S. Yazell
Griffin Kelly	Dr. Lewis Ryans	—52
W. L. Kimbrough	W. P. Scott	

Those who voted in the negative were:

Lon Adams	D. J. Howard	B. F. Reynolds
P. A. Day	J. W. Johnson	Dr. B. F. Shields
J. W. Geveden	Elmer Lusby	J. Mack Thompson
A. L. Hamilton	T. P. Oliver	Dr. T. R. Welch
		—12

Resolved, That the title thereof be as amended.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, called up for consideration the Senate amendment to House Bill No. 158.

Then the House took up for consideration said Senate amendment to House Bill No. 158.

Said amendment is as follows:

Amend House Bill 158, lines 5, 6 and 7, by striking therefrom the words "or diminish the service, or authorize the same to be done on any line of said road of a less distance or length than fifty miles nor to affect."

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	D. J. Howard	W. P. Scott
Sidney Alfrey	Adam W. Huff	E. E. Shannon
L. H. Ballard	Robt. Humphreys	Dr. B. F. Shields
H. H. Barnes	J. W. Johnson	S. G. Smith
S. M. Bennett	Henry Kaufman	R. Lee Stewart
J. M. Billiter	Frank Kennard	Wm. A. Stewart
Rodney G. Bryson	W. L. Kimbrough	John T. E. Stites
W. T. Carner	J. M. Knott	John W. Swope
J. F. Carr	Dr. S. D. Laughlin	John B. Thomas
T. L. Caudel	Hebron Lawrence	J. Mack Thompson
Charles M. Ciarlo	Joseph Lazarus	Dr. D. J. Travis
A. S. Cooper	Rev. J. A. Lee	C. B. Truesdell
B. L. Cox	I. S. Mason	John L. Trumbo
J. S. Cruse	A. J. McCandless	J. Wood Vance
P. A. Day	R. L. McFarron	Fred C. VanHoose
H. N. Dean	H. C. McLellan	Daniel Vose
J. B. Denues	John T. Murphy	A. M. Wash
J. M. Foster	Estill W. Neel	J. S. Webb
Dr. T. H. Gamblin	J. L. Richardson	W. G. Wheeler
B. J. Geohringer	Sherman Robbins	R. E. Wilborn
J. W. Geveden	B. A. Roth	V. M. Williamson
A. F. Hanberry	Dr. Lewis Ryans	W. N. Winn
E. C. Hardin	Chas. R. Scott	Dr. W. S. Yazell

—69

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 294. An Act relating to the collection of inheritance tax, requiring certain reports of County Court Clerks and imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

§ 1. On or before the first day of February in each year the County Court Clerk of each county in the State shall, from the records in his office, and from such other information as he may be able to obtain, make a report to the State Tax Commission, giving the names of all taxpayers in his county who died during the preceding year ending December 31st. He shall, at the same time, make up a statement showing the assessed value of all property assessed for taxation by each decedent as of the last assessing date prior to his death. He shall also show whether any personal representative has been appointed for the estate of any such decedent, and show the name and address of such representative.

§ 2. When the State Tax Commission receives this report from the County Court Clerk, it shall be its duty to carefully examine same, and where it is of the opinion that such an estate may be subject to an inheritance tax it may request the County Court Clerk to make a copy of any appraisement or settlement of such estate, showing the total value thereof and the name of each distributee.

§ 3. The State Tax Commission shall also direct some one of its representatives to make an investigation in any case where it deems fuller information necessary.

§ 4. No inheritance tax shall be paid to any Sheriff or other collecting officer until all of the facts in relation thereto have been submitted to the State Tax Commission and that body has determined the amount of tax due and has made certification thereof to the County Court Clerk; but in cases where distribution of any part of the estate is made, the personal representative or the beneficiary may obtain permission

from the County Court to pay the amount of the tax due to the Sheriff or collector upon the amount so distributed, which shall be considered a credit on the total amount due.

§ 5. In every case where a personal representative is appointed or qualified in any County Court, it shall be the duty of such personal representative to file a copy of all appraisements, sale bills and settlements with the State Tax Commission at the same time such representative makes such report to the County Court.

§ 6. The personal representative shall have the right to institute a proceeding in the County Court at any time after qualification, for the purpose of determining the value of the estate subject to inheritance tax, and when the amount has been so ascertained a copy of the judgment of the County Court shall be forthwith submitted to the State Tax Commission, and that body shall ascertain the correct amount of tax to be paid and shall certify the same to the County Clerk, who in turn shall make proper certification to the Sheriff or collector.

§ 7. The State Tax Commission may, at any time, instruct the County Attorney in any county to institute a proceeding to have the value of any estate subject to inheritance tax determined, and when the value is so determined, a copy of the judgment shall be certified to the State Tax Commission and that body shall determine the amount of tax due or which will be due, and shall make certification to the County Court Clerk, which officer shall certify to the Sheriff or collector after the tax has become due and payable under the provisions of law.

§ 8. After the amount of inheritance tax has been ascertained by the State Tax Commission, it may be paid by the personal representative or beneficiary before it is due under the law and in accordance with the provisions of the law. If any personal representative or beneficiary desires to pay the tax after the amount thereof has been ascertained and before it is due under the provisions of the law, such personal representative or beneficiary may notify the County Court Clerk, and that officer shall immediately certify the amount due to the Sheriff or collector.

§ 9. In cases where no personal representative has qualified, the State Tax Commission may institute a proceeding at any time in the County Court, the object of which shall be to ascertain the value of the estate subject to an inheritance tax, notice of which shall be given to the heirs, legatees or devises of such estate, and when the information has been thus obtained, the State Tax Commission shall determine the amount of tax due and shall certify the amount thereof to the County Court Clerk, who shall certify the same to the Sheriff or collector after it becomes payable under the provisions of the law, and the Sheriff or collector may proceed to collect the tax in the same manner that he collects taxes based upon assessments made by the County Tax Commissioner, and the State shall have a lien on the property which passed to the beneficiary, to secure the payment of the tax.

§ 10. In any proceedings to determine the value of the estate subject to inheritance tax, the personal representative, the beneficiary or the State Tax Commission shall have the right to appeal to the Circuit Court from the judgment of the County Court and shall have the right to appeal from the judgment of the Circuit Court to the Court of Appeals.

§ 11. The State Tax Commission shall prepare all blank forms that may be necessary to carry out the provisions of this law.

§ 12. For his services in making the reports required of him, the County Court Clerk shall be paid a reasonable compensation by the State. He shall make out his claim and submit it to the State Tax Commission, and upon the approval of that body it shall be presented to the Auditor, who shall draw his warrant for the amount due.

§ 13. Nothing in this Act shall be construed to change the time or method of paying any inheritance tax. After the expiration of eighteen months from the death of the decedent, the personal representative or beneficiary shall be delinquent unless the period for the payment of the tax has been extended upon some statutory ground. When any personal representative or beneficiary becomes delinquent the State Tax Commission shall direct the Sheriff or revenue agent to institute proceedings to ascertain the value of the estate sub-

ject to the tax, and when the value is thus ascertained in any proceedings instituted by a Sheriff or revenue agent, the procedure shall be the same as when the value of the estate subject to the tax has been ascertained in some proceeding instituted before the delinquency.

§ 14. The State Tax Commission shall cause a thorough investigation to be made in the counties of the State to ascertain whether there are inheritance taxes due which have not been paid, and in every instance where it is ascertained that a tax is due, the State Tax Commission shall take the necessary steps to ascertain the amount thereof and see that it is paid.

§ 15. The State Tax Commission may, at any time, require reports from any officer, which reports are necessary in ascertaining whether an estate is subject to the tax and the amount of tax due thereon.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Talbert Holliday	W. P. Scott
Sidney Alfrey	Adam W. Huff	Dr. B. F. Shields
L. H. Ballard	J. W. Johnson	S. G. Smith
H. H. Barnes	Henry Kaufman	H. A. Spillman

S. M. Bennett	Griffin Kelly	R. Lee Stewart
J. M. Billiter	W. L. Kimbrough	Wm. A. Stewart
Rodney G. Bryson	J. M. Knott	John T. E. Stites
Roy J. Cain	Dr. S. D. Laughlin	Frank L. Strange
W. T. Carner	Hebron Lawrence	T. R. Stultz
J. F. Carr	Rev. J. A. Lee	John W. Swope
T. L. Caudel	I. S. Mason	John B. Thomas
Charles M. Ciarlo	A. J. McCandless	J. Mack Thompson
A. S. Cooper	R. L. McFarron	Dr. D. J. Travis
J. S. Cruse	John T. Murphy	C. B. Truesdell
P. A. Day	Estill W. Neel	John L. Trumbo
H. N. Dean	Chas. A. Nelson	Fred C. VanHoose
H. C. Duffy	B. F. Reynolds	Daniel Vose
J. M. Foster	J. L. Richardson	W. G. Wheeler
B. J. Geohringer	Sherman Robbins	V. M. Williamson
J. W. Geveden	Lee Rogers	W. N. Winn
A. F. Hanberry	B. A. Roth	Dr. W. S. Yazell
E. C. Hardin	Chas. R. Scott	—65

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 491. An Act relating to the number of ballots to be printed and furnished by the county court clerks of this commonwealth in all primary elections and in all general elections at and in which women are entitled to vote.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. At the first national, State, district, county, city or precinct primary election in which women are entitled to vote under the provisions of the Federal Constitutional Amendment, giving to women the right to vote, or by State law, it shall be the duty of the county court clerk to provide and furnish at each election precinct one hundred and seventy-five (175%) per cent more ballots for each political party than the number of votes cast by such political party at the last preceding presidential election; and if a precinct has been created since the last presidential election, the county court clerk shall furnish such number of ballots in such precinct as may be requested to the chairman of the county executive committee or authority of each political party, not exceeding, however, six hundred (600) ballots for each party for such precinct.

§ 2. At each succeeding primary election in which women vote the clerk shall provide and furnish for each election precinct seventy-five (75%) per cent more official ballots for each political party than the number of votes cast by such political party at the last preceding election in which women were entitled to vote. Provided, however, that after the first presidential election in which women are allowed to vote, the clerk shall provide and furnish to each election precinct seventy-five (75%) per cent more official ballots for each political party than the number of votes cast by such political party at the last preceding presidential election.

§ 3. In the first national, State, district, county, city or precinct election in which women are allowed to vote under the provisions of the Federal Constitutional Amendment giving to women the right to vote, or by State law, the clerk shall provide and furnish at each election precinct one hundred and fifty (150%) per cent more ballots than were cast in said precinct at the last State or national election, and in precincts created since the said last State and national election, he shall furnish such a number of ballots as in his judgment will be necessary to afford all voters in such precinct an opportunity to vote, in no event, however, to exceed six hundred (600). In

each succeeding general election after the first election in which women voted under the provisions of said Constitutional Amendment or by State law, he shall furnish to each precinct fifty (50%) per cent more ballots than were cast in said precinct at the last preceding election at which women voted under the provisions of said amendment, or under State law. Provided, however, that after the first national or State election at which women were allowed to vote, for each succeeding election he shall furnish fifty (50%) per cent more ballots to each precinct than were votes cast in said precinct at the last State or national election.

Mr. Neel offered a substitute for said bill as follows:

House Bill No. 549. An Act further regulating elections by prescribing the qualifications of women to vote in the first primary election held after they are entitled to vote, either by State law or under the provisions of the Federal Constitutional Amendment giving to women the right to vote, and prescribing their qualifications in all primary elections held subsequent to such first primary election; prescribing the method of the registration of women in the first registration after they become entitled to register, either by State law or under the provisions of the Federal Constitutional Amendment giving to women the right of suffrage; providing for the redistricting of each county into voting precincts to accommodate the women voters when they become entitled to vote; and providing for additional ballots in primary elections and in all general elections at and in which women are entitled to vote.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. In the first primary election in which women are entitled to vote either by State law, or under the provisions of the Federal Constitutional Amendment giving to women the right to vote, no woman shall be entitled to the ballot of any political party having candidates to be voted for in said primary, unless she shall possess at the succeeding Novem-

ber election the same qualifications now required of men by the Constitution as legal voters, and unless at the time she calls for such ballot she declares herself to be a member of the party for whose ballot she asks, and that she intends to support the nominees of such party at the ensuing general election. In all succeeding primary elections after the first primary election in which women participate, as herein provided for, women shall possess and have the same qualifications as are now required, or as may hereafter be required, of men. In precincts where registration is required by law, in all primary elections in which women participate, they shall be entitled only to the ballot of that party which the registration books show them to be affiliated with.

§ 2. In all precincts where the voters are required by law to register, at the first regular registration after women become entitled to vote either under State law, or under the provisions of the Federal Constitutional Amendment giving to women the right to vote, all women who at the succeeding November election would possess the legal qualifications required by the Constitution of men to be legal voters shall be entitled to register, and at special registration days following the first regular registration in which women are entitled to participate, women may be registered under the same provisions and conditions under which men are now by law allowed to specially register. At all succeeding registrations, both general and special, after the first general and special registration in which women participate, the registration of women shall in all things be conducted in the same manner as registrations are now conducted for men.

§ 3. For the purpose of determining the qualifications of women to register under the provisions of this Act, and of women to participate in the primary or general election, the officers of the election shall have the same authority and power to swear any woman offering to register or to vote as now given by law to such officer to swear persons offering to register or to vote.

§ 4. It shall be the duty of the county court of each county in this State, at the next regular term of said court after women become entitled to vote in other than school mat-

ters, either under the provision of the State law or under the provisions of the Federal Constitutional Amendment giving to women the right to vote, to divide the justices' districts of each of said counties into election precincts and establish the name or number and boundaries of the same, and the place of voting in each precinct, so that there shall be but one voting place in each precinct, and so that each precinct shall contain as nearly as practicable three hundred and fifty voters; but such change in the voting precincts shall not be made nearer than thirty-five days to any primary or general election, and when so made shall be advertised by the sheriff at least thirty days by publication in some newspaper of general circulation in the county, and by printed notices, posted up at least thirty days prior to the date of such primary or general election at one place in each precinct so created.

The county court of each county of this State, after having made such division of magisterial districts into election precincts, as herein provided, shall thereafter have the same right to change precincts and create new voting precincts as now given by law.

§ 5. At the first national, State, district, county, city, or precinct primary election in which women are entitled to vote under State law, or under the provisions of the Federal Constitutional Amendment, giving to women the right to vote, it shall be the duty of the county court clerk to provide and furnish at each election precinct one hundred and seventy-five (175%) per cent more ballots for each political party than the number of votes cast by such political party at the last preceding presidential election; and if a precinct has been created since the last presidential election, the county court clerk shall furnish such number of ballots in such precinct as may be requested by the chairman of the County Executive Committee, or authority of each political party, not exceeding, however, six hundred (600) ballots for each party for each such precinct.

§ 6. At each succeeding primary election in which women vote the county court clerk shall provide and furnish for each election precinct seventy-five (75%) per cent more official ballots for each political party than the number of

votes cast by such political party at the last preceding election in which women were entitled to vote. Provided, however, that after the first presidential election in which women are allowed to vote, the clerk shall provide and furnish to each election precinct seventy-five (75%) per cent more official ballots for each political party than the number of votes cast by such political party at the last preceding presidential election.

§ 7. In the first national, State, district, county, city or precinct election in which women are allowed to vote under State law, or under the provisions of the Federal Constitutional Amendment giving to women the right to vote, the county court clerk shall provide and furnish at each election precinct one hundred and fifty (150%) per cent more ballots than were cast in said precinct at the last State or national election, and in precincts created since the said last State or national election, he shall furnish such a number of ballots as in his judgment will be necessary to afford all voters in such precinct an opportunity to vote, in no event, however, to exceed six hundred (600). In each succeeding general election after the first election in which women voted under State law or under the provisions of said Constitutional Amendment, he shall furnish to each precinct fifty (50%) per cent more ballots than were cast in said precinct at the last preceding election at which women voted under State law or under the provisions of said amendment. Provided, however, that after the first national or State election at which women were allowed to vote, for each succeeding election he shall furnish fifty (50) per cent more ballots to each precinct than were votes cast in said precinct at the last State or national election.

Said amendment by way of substitute was agreed to.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	B. A. Roth
L. H. Ballard	Henry Kaufman	Dr. B. F. Shields
H. H. Barnes	Griffin Kelly	S. G. Smith
S. M. Bennett	W. L. Kimbrough	H. A. Spillman
J. M. Billiter	Dr. S. D. Laughlin	R. Lee Stewart
Rodney G. Bryson	Hebron Lawrence	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	T. R. Stultz
W. T. Carner	I. S. Mason	Dr. D. J. Travis
J. F. Carr	A. J. McCandless	C. B. Truesdell
A. S. Cooper	R. L. McFarron	John L. Trumbo
J. S. Cruse	H. C. McLellan	J. Wood Vance
H. N. Dean	Mack J. Morgan	Fred C. VanHoose
J. B. Denues	John T. Murphy	Daniel Vose
J. M. Foster	Estill W. Neel	W. G. Wheeler
B. J. Geohringer	T. P. Oliver	V. M. Williamson
A. F. Hanberry	T. C. Pryse	W. N. Winn
E. C. Hardin	J. L. Richardson	Dr. W. S. Yazell
Talbert Holliday	Sherman Robbins	—53

Those who voted in the negative were:

Lon Adams	J. W. Johnson	Chas. A. Nelson
H. C. Duffy	Frank Kennard	Frank L. Strange
Dr. W. L. Gossett	J. M. Knott	J. Mack Thompson
		—9

Resolved, That the title thereof be as amended by substitute.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

House Resolution No. 30 was sent to the Senate.

A message was received from the Senate announcing that it had passed Senate Bill No. 205, entitled:

An Act regulating the transportation, delivery, and nonliability of common carriers by pipe line of crude petroleum or gas.

Ordered that said bill be printed for the House and referred to the Committee on Rules.

Also that the Senate had passed Senate Resolution No. 27, entitled:

Resolution requesting Congress to enact legislation enabling the United States Government to purchase liquors now in bonded warehouses.

Then the House, at 12:20 P. M., took a recess until 1:30 P. M.

AFTERNOON SESSION.

MARCH 11, 1920.

The House reconvened at 1:30 P. M.

A message was received from the Senate announcing that it had passed the following bills:

House Bill No. 225, with amendments thereto.

House Bill No. 226, with amendments thereto.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 136. An Act amending and re-enacting Section 107 of an Act entitled "An Act providing for the creation and regulation of corporations," being Chapter CLXXI of the Acts of 1893, which became a law on April 5, 1893, without the signature of the Governor, and which Section is now Section 644 of the Kentucky Statutes, Carroll's Edition of 1915.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 107 of the Act entitled "An Act providing for the creation and regulation of private corporations," which is Chapter CLXXI of the Acts of 1893, and which Section is now Section 644 of the Kentucky Statutes, Carroll's Edition of 1915, be amended by adding after the words "accident to persons" where the same first appears in said Section, the following provision, to-wit: "or sickness, temporary or permanent physical disability," so that said Section as amended shall read as follows:

"No company transacting the business of life insurance in this State shall be permitted to take any other kind of risks except those connected with or appertaining to making insurance on life, or against accident to persons, or sickness, temporary or permanent physical disability, and the granting, purchasing and disposing of annuities and endowments: Provided, That any company making both insurance on life and against accidents to persons, as herein provided, shall be required to make a separate report and sworn statement for each kind of business done, such as is now required of com-

panies doing but one kind of business in this State under this law."

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Henry Kaufman	Lee Rogers
Sidney Alfrey	Griffin Kelly	B. A. Roth
H. H. Barnes	W. L. Kimbrough	Chas. R. Scott
S. M. Bennett	J. M. Knott	W. P. Scott
J. M. Billiter	Dr. S. D. Laughlin	Dr. B. F. Shields
Rodney G. Bryson	Hebron Lawrence	H. G. Skiles
J. F. Carr	Joseph Lazarus	S. G. Smith
T. L. Caudel	Rev. J. A. Lee	R. Lee Stewart
A. S. Cooper	R. C. Marcum	Wm. A. Stewart
B. L. Cox	I. S. Mason	John T. E. Stites
J. S. Cruse	A. J. McCandless	T. R. Stultz
P. A. Day	R. L. McFarron	John W. Swope
H. N. Dean	H. C. McLellan	John B. Thomas
J. M. Foster	John T. Murphy	J. Mack Thompson
B. J. Geohringer	Estill W. Neel	J. H. Thompson
J. W. Geveden	Chas. A. Nelson	C. B. Truesdell
A. F. Hanberry	T. P. Oliver	John L. Trumbo
A. R. Hudson	T. C. Pryse	Daniel Vose

Robt. Humphreys	S. C. Ray	V. M. Williamson
R. O. Huntsman	B. F. Reynolds	Dr. W. S. Yazell
J. W. Johnson	Sherman Robbins	—62

Those who voted in the negative were:

Fred C. VanHoose —1

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 404. An Act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per car load.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any and all railroads operating in and through the State of Kentucky, shall not charge for the transportation of ground limestone for agricultural purposes, in car load lots, minimum weight sixty thousand pounds per car, from one point in this State to another point in this State, in excess of thirty cents per ton of two thousand pounds, for the first thirty miles or under, and one-half cent per ton for each mile in excess of thirty miles, one road haul; two road haul, not more than twenty per cent in excess of rate charged for one road haul; three road haul, not more than thirty per cent in excess of rate charged for one road haul.

§ 2. The rates herein provided for shall apply only on shipments of ground limestone for agricultural purposes, and in order to obtain said rates the consignor or consignee shall file a statement with the agent of the carrier stating the purpose for which the shipment of ground limestone is to be used, and upon the filing of such statement the shipment shall be billed at the rates as stated in section 1 herein.

§ 3. Any person or corporation who shall, by false representation as to the purpose for which the limestone transported was to be used or in any other way obtain the benefit of the rates provided herein, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense; each shipment upon which the rates herein provided for, are requested and obtained through misrepresentation shall constitute a separate offense.

§ 4. The establishment of the rates provided for herein shall not be construed as a standard by which to measure other rates.

§ 5. It shall be unlawful for any railroad company to charge in excess of the rates herein provided for, and any such company convicted of violating the provisions of this Act, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense, each shipment upon which a greater charge is made shall constitute a separate offense.

§ 6. All acts and parts of acts in conflict herewith are hereby repealed.

Mr. Lazarus moved that Senate Bill No. 250, which has been passed in the Senate and which is in the Orders of the Day in the House, be substituted for said House Bill No. 404.

Senate Bill No. 250. An Act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the minimum weight per car load.

Said Senate Bill No. 250 reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any and all railroads operating in and through the State of Kentucky shall not charge for the transportation of ground limestone for agricultural purposes, in car load lots, minimum weight sixty thousand pounds per car, from one point in this State to another point in this State, in excess of thirty cents per ton of two thousand pounds, for the first thirty miles or under, and one-half cent per ton for each mile in excess of thirty miles, one road haul; two road haul, not more than twenty per cent in excess of rate charged for one road haul; three road haul, not more than thirty per cent in excess of rate charged for one road haul.

§ 2. The rates herein provided for shall apply only on shipments of ground limestone for agricultural purposes, and in order to obtain said rates, the consignor or consignee shall file a statement with the agent of the carrier stating the purpose for which the shipment of ground limestone is to be used, and upon the filing of such statement the shipment shall be billed at the rates as stated in section one herein.

§ 3. Any person or corporation who shall, by false representation as to the purpose for which the limestone transported was to be used or in any other way obtain the benefit of the rates provided for herein, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense; each shipment upon which the rates herein provided for are requested and obtained through misrepresentation shall constitute a separate offense.

§ 4. The establishment of the rates provided for herein shall not be construed as a standard by which to measure other rates.

§ 5. It shall be unlawful for any railroad company to charge in excess of the rates herein provided for, and any such company convicted of violating the provisions of this act shall be fined not less than fifty dollars nor more than one hundred dollars for each offense, each shipment upon which a greater charge is made shall constitute a separate offense.

§ 6. All acts and parts of acts in conflict herewith are hereby repealed.

Said motion was agreed to and said Senate Bill No. 250 as a substitute for House Bill No. 404 was adopted.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Robt. Humphreys	B. A. Roth
Sidney Alfrey	R. O. Huntsman	W. P. Scott
L. H. Ballard	J. W. Johnson	Dr. B. F. Shields
H. H. Barnes	Henry Kaufman	H. G. Skiles
S. M. Bennett	Griffin Kelly	S. G. Smith
J. M. Billiter	Frank Kennard	H. A. Spillman
Rodney G. Bryson	W. L. Kimbrough	Wm. A. Stewart
Roy J. Cain	J. M. Knott	John T. E. Stites
W. T. Carner	Dr. S. D. Laughlin	T. R. Stultz
J. F. Carr	Hebron Lawrence	John W. Swope
T. L. Caudel	Joseph Lazarus	John B. Thomas
Charles M. Ciarlo	Rev. J. A. Lee	J. Mack Thompson
A. S. Cooper	R. C. Marcum	J. H. Thompson
B. L. Cox	I. S. Mason	Dr. D. J. Travis
J. S. Cruse	A. J. McCandless	C. B. Truesdell

P. A. Day	R. L. McFarron	John L. Trumbo
H. N. Dean	Claude D. Minor	J. Wood Vance
J. B. Denues	Mack J. Morgan	Fred C. VanHoose
H. C. Duffy	John T. Murphy	Daniel Vose
J. M. Foster	Estill W. Neel	A. M. Wash
J. W. Geveden	Chas. A. Nelson	J. S. Webb
Dr. W. L. Gossett	T. P. Oliver	W. G. Wheeler
A. L. Hamilton	S. C. Ray	R. E. Wilborn
A. F. Hanberry	B. F. Reynolds	V. M. Williamson
E. C. Hardin	J. L. Richardson	W. N. Winn
D. J. Howard	Sherman Robbins	—79
A. R. Hudson	Lee Rogers	

Those who voted in the negative were:

Talbert Holliday —1.

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 170. An Act relating to the collection of inheritance tax, requiring certain reports of county court clerks and imposing certain duties upon the State Tax Commission and otherwise designating a method of procedure in the collection of such tax.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. On or before the first day of February in each year the County Court Clerk of each county in the State shall, from the records in his office and from such other information as he may be able to obtain, make a report to the State Tax Commission giving the names of all taxpayers in his county who died during the preceding year ending December 31st. He shall, at the same time, make up a statement showing the assessed value of all property assessed for taxation by each decedent as of the last assessing date prior to his death. He shall also show whether any personal representative has been appointed for the estate of any such decedent, and show the name and address of such representative.

§ 2. When the State Tax Commission receives this report from the County Court Clerk it shall be its duty to carefully examine same and where it is of the opinion that such an estate may be subject to an inheritance tax it may request the County Court Clerk to make a copy of any appraisement or settlement of such estate showing the total value thereof and the name of each distributee.

§ 3. The State Tax Commission shall also direct some one of its representatives to make an investigation in any case where it deems fuller information necessary.

§ 4. No inheritance tax shall be paid to any sheriff or other collecting officer until all of the facts in relation thereto have been submitted to the State Tax Commission and that body has determined the amount of tax due and has made certification thereof to the County Court Clerk; but in cases where distribution of any part of the estate is made, the personal representative or the beneficiary may obtain permission from the county court to pay the amount of the tax due to the sheriff or collector upon the amount so distributed, which shall be considered a credit on the total amount due.

§ 5. In every case where a personal representative is appointed or qualified in any county court, it shall be the duty of such personal representative to file a copy of all appraisements, sale bills and settlements with the State Tax

Commission at the same time such representative makes such reports to the county court.

§ 6. The personal representative shall have the right to institute a proceeding in the county court at any time after qualification, for the purpose of determining the value of the estate subject to inheritance tax and when the amount has been so ascertained a copy of the judgment of the county court shall be forthwith submitted to the State Tax Commission and that body shall ascertain the correct amount of tax to be paid, and shall certify the same to the County Clerk, who in turn shall make proper certification to the sheriff or collector.

§ 7. The State Tax Commission may, at any time, instruct the county attorney in any county to institute a proceeding to have the value of any estate subject to inheritance tax determined, and when the value is so determined, a copy of the judgment shall be certified to the State Tax Commission, and that body shall determine the amount of tax due or which will be due, and shall make certification to the County Court Clerk, which officer shall certify to the sheriff or collector after the tax has become due and payable under the provisions of law.

§ 8. After the amount of inheritance tax has been ascertained by the State Tax Commission it may be paid by the personal representative or beneficiary before it is due under the law and in accordance with the provisions of the law. If any personal representative or beneficiary desires to pay the tax after the amount thereof has been ascertained and before it is due under the provisions of the law, such personal representative or beneficiary may notify the County Court Clerk and that officer shall immediately certify the amount due to the sheriff or collector.

§ 9. In cases where no personal representative has qualified the State Tax Commission may institute a proceeding at any time in the county court, the object of which shall be to ascertain the value of the estate subject to an inheritance tax, notice of which shall be given to the heirs, legatees or devisees of such estate. and when the information has been thus obtained the State Tax Commission shall determine the amount of tax due and shall certify the amount thereof to the County Court Clerk, who shall certify the same to the sheriff or col-

lector after it becomes payable under the provisions of the law, and the sheriff or collector may proceed to collect the tax in the same manner that he collects taxes based upon assessments made by the County Tax Commissioner and the State shall have a lien on the property which passed to the beneficiary to secure the payment of the tax.

§ 10. In any proceedings to determine the value of the estate subject to inheritance tax, the personal representative, the beneficiary or the State Tax Commission shall have the right to appeal to the circuit court from the judgment of the county court, and shall have the right to appeal from the judgment of the circuit court to the Court of Appeals.

§ 11. The State Tax Commission shall prepare all blank forms that may be necessary to carry out the provisions of this law.

§ 12. For his services in making the reports required of him the County Court Clerk shall be paid a reasonable compensation by the State. He shall make out his claim and submit it to the State Tax Commission, and upon the approval of that body it shall be presented to the Auditor, who shall draw his warrant for the amount due.

§ 13. Nothing in this Act shall be construed to change the time or method of paying any inheritance tax. After the expiration of eighteen months from the death of the decedent the personal representative or beneficiary shall be delinquent unless the period for the payment of the tax has been extended upon some statutory ground. When any personal representative or beneficiary becomes delinquent the State Tax Commission shall direct the sheriff or revenue agent to institute proceedings to ascertain the value of the estate subject to the tax, and when the value is thus ascertained in any proceedings instituted by a sheriff or revenue agent the procedure shall be the same as when the value of the estate subject to the tax has been ascertained in some proceeding instituted before the delinquency.

§ 14. The State Tax Commission shall cause a thorough investigation to be made in the counties of the State to ascertain whether there are inheritance taxes due which have not been paid, and in every instance where it is ascertained that a

tax is due the State Tax Commission shall take the necessary steps to ascertain the amount thereof and see that it is paid.

§ 15. The State Tax Commission may, at any time, require reports from any officer, which reports are necessary in ascertaining whether an estate is subject to the tax and the amount of tax due thereon.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	D. J. Howard	J. L. Richardson
Sidney Alfrey	A. R. Hudson	Sherman Robbins
L. H. Ballard	Adam W. Huff	Lee Rogers
H. H. Barnes	Robt. Humphreys	B. A. Roth
S. M. Bennett	R. O. Huntsman	Dr. Lewis Ryans
Rodney G. Bryson	J. W. Johnson	Chas. R. Scott
Roy J. Cain	Griffin Kelly	W. P. Scott
W. T. Carner	W. L. Kimbrough	Dr. B. F. Shields
J. F. Carr	J. M. Knott	H. G. Skiles
T. L. Caudel	Dr. S. D. Laughlin	S. G. Smith
Charles M. Ciarlo	Hebron Lawrence	H. A. Spillman
A. S. Cooper	Joseph Lazarus	R. Lee Stewart
B. L. Cox	R. C. Marcum	John T. E. Stites
J. S. Cruse	I. S. Mason	John W. Swope

H. N. Dean	A. J. McCandless	John B. Thomas
J. B. Denues	R. L. McFarron	J. Mack Thompson
H. C. Duffy	H. C. McLellan	Dr. D. J. Travis
J. M. Foster	Claude D. Minor	John L. Trumbo
B. J. Geohringer	Mack J. Morgan	J. Wood Vance
J. W. Geveden	John T. Murphy	Fred C. VanHoose
Dr. W. L. Gossett	Chas. A. Nelson	Daniel Vose
A. L. Hamilton	T. P. Oliver	A. M. Wash
A. F. Hanberry	T. C. Pryse	J. S. Webb
E. C. Hardin	S. C. Ray	Dr. T. R. Welch
Talbert Holliday	B. F. Reynolds	W. N. Winn

—75

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Wash offered the following joint resolution:

Joint resolution for the benefit of the Chief Clerks and Assistant Clerks of the House of Representatives and the Senate.

Whereas, the clerks of the House of Representatives and the Senate are required to work long hours, day and night, before the House convenes, and hours after adjournment, in order that the Journals of both Houses may be ready when the respective Houses convene, and all bills, resolutions, and other office matters ready for the consideration of the respective Houses, and

Whereas, the work is hard and exacting, and the responsibility for its correct execution great, and the per diem now allowed is not in proportion to the value of the services said clerks are required to perform.

Therefore, be it resolved by the House of Representatives, the Senate concurring herein, that the Chief Clerk and

the Assistant Clerk of the House of Representatives and the Chief Clerk and the Assistant Clerk of the Senate each be allowed the sum of $250.00, to be paid out of the State Treasury, and the Auditor of Public Accounts is hereby directed to draw his warrants upon the treasurer in favor of said Chief Clerks and Assistant Clerks of the House of Representatives and Senate, for the respective amounts named in this resolution.

Mr. Huntsman moved to table said resolution.

Said motion was, by unanimous consent, withdrawn.

Mr. Meyers offered the following amendment:

Amend by adding thereto Sergeant-at-Arms, Doorkeepers and Enrolling Clerks.

Said amendment was agreed to.

Mr. Lazarus, of the Committee on Rules, moved to take up for consideration House Bill No. 273.

Then the House took up for consideration from the Orders of the Day, a bill entitled:

House Bill No. 273. An Act to repeal and re-enact Chapter CLXVIII, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled, "An Act making unlawful to buy, bargain, sell, loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation, or to harbor a person in the possession or in the operation of an illicit or "moonshine" still and providing a penalty for any violation of this act; and further fixing the burden of proof and further providing the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter CLXVIII of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled, "An Act making it unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or operation of an illicit or "moonshine" still and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act out of the county levy of the county in which the indictment may be returned, be and the same is hereby repealed and re-enacted so as to read as follows:

§ 1. It shall be unlawful for any person to buy, bargain, sell, loan, own, have in possession, or to operate, or aid, abet, or assist or encourage in the operation of an illicit or moonshine still, and any person guilty of any offense enumerated in this section, shall upon conviction for the first offense be fined not less than fifty dollars nor more than five hundred and be confined in the county jail not exceeding six months, and upon conviction for the second offense confined in the penitentiary not less than one year nor more than five years in the discretion of the jury.

§ 2. Any judge or justice of the peace, when an affidavit is filed with him, describing the premises as nearly as may be where intoxicating liquors are distilled, brewed or manufactured, or suspected of being distilled, brewed or manufactured in violation of this act shall immediately issue a warrant and cause any house, building, premises or other place to be searched for the detection of any intoxicating liquors kept for the purpose of sale, or any stills, material or parts of stills held, owned, sold or loaned or in the possession of any person in violation of this act, and said officer receiving said warrant shall immediately proceed to execute the same and make due and proper returns of any defendants or stills,

materials or parts of stills held in violation of this act, to the court or justice of the peace issuing the warrant, and if admission be not given on demand made, the officer or other person in charge of the warrant shall force an entrance into any such house, building, premises or other place, and seize any intoxicating liquors, materials or stills, equipment, machinery or devices, being used or to be used in distilling, brewing or manufacturing intoxicating liquors, and arrest the keeper, or person or persons in charge or in possession of such house, building, premises or other place, and carry such person or persons and such intoxicating liquors, materials, or still equipment, machinery or device before the judge or justice of the peace issuing the warrant; and the judge or justice of the peace, if in his opinion the proof be sufficient shall bind the defendant in a bond of not less than three hundred dollars for his or her appearance to the Circuit Court of the county to answer any indictment on said charge; and the judge or justice of the peace shall declare the intoxicating liquors, still or stills, material or equipment, machinery or devices seized to be contraband and confiscate the same at once, and have the same immediately destroyed.

§ 3. If any person shall arrest, or directly or indirectly cause the arrest of any person guilty of violation of this act within this Commonwealth and shall secure the indictment and conviction of such person in a court of competent jurisdiction, the person so securing the arrest, indictment and conviction shall be entitled to a reward of fifty dollars for each person convicted, which reward shall be approved by the judge of the Circuit Court in which the trial is had and certified as other claims to the Auditor of Public Accounts for payment.

§ 4. An illicit or 'moonshine' still under this act shall include an outfit or parts of an outfit, commonly and exclusively used in the distillation of spirituous liquors, which at the time of trial is not registered in the office of a Collector of Internal Revenue for the United States, and the burden of proving the same is so registered is on the defendant.

§ 5. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Marcum moved to substitute for consideration Senate Bill No. 153, which is in the Orders of the Day.

Said motion was agreed to.

Then the House took up for consideration Senate Bill No. 153, entitled:

Senate Bill No. 153. An Act to repeal and re-enact Chapter CLXVIII, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled "An Act making it unlawful to buy, bargain, sell, loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation, or to harbor a person in the possession or in the operation of an illicit or 'moonshine' still and providing a penalty for any violation of this act; and further fixing the burden of proof; and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act, out of the county levy of the county in which the indictment may be returned."

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter CLXVIII of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 29, 1918, entitled "An Act making it unlawful to buy, bargain, sell or loan, own, have in possession or to operate, or to aid, abet, assist or encourage in the operation or to harbor a person in the possession or operation of an illicit or 'moonshine' still and providing a penalty for any violation of this act, and further fixing the burden of proof and further providing for the allowing and paying a reward to the person who procures the arrest, indictment and conviction of a person violating this act out of the county levy of the county in which the indictment may be returned" be and the same is hereby repealed and re-enacted so as to read as follows:

§ 1. It shall be unlawful for any person to buy, bargain, sell, loan, own, have in possession, or to operate, or aid, abet, or assist or encourage in the operation of an illicit or 'moonshine' still, and any person guilty of any offense enumerated in this section, shall upon conviction for the first offense be fined not less than fifty dollars nor more than five hundred dollars and be confined in the county jail not exceeding six months, and upon conviction for the second offense confined in the penitentiary not less than one year nor more than five years in the discretion of the jury.

§ 2. Any judge or justice of the peace, when an affidavit is filed with him, describing the premises as nearly as may be where intoxicating liquors are distilled, brewed or manufactured or suspected of being distilled, brewed or manufactured in violation of this act shall immediately issue a warrant and cause any house, building, premises or other place to be searched for the detection of any intoxicating liquors kept for the purpose of sale, or any stills, material or parts of stills held, owned, sold or loaned or in the possession of any person in violation of this act, and said officer receiving said warrant shall immediately proceed to execute the same and make due and proper returns of any defendants or stills, materials or parts of stills held in violation of this act, to the court or justice of the peace issuing the warrant, and if admission be not given on demand made, the officer or other person in charge of the warrant shall force an entrance into any such house, building, premises or other place, and seize any intoxicating liquors, materials or stills, equipment, machinery or devices, being used or to be used in distilling, brewing or manufacturing intoxicating liquors, and arrest the keeper, or person or persons in charge or in possession of such house, building, premises or other place, and carry such person or persons and such intoxicating liquors, materials or still equipment, machinery or device before the judge or justice of the peace issuing the warrant, and the judge or justice of the peace if in his opinion the proof be sufficient shall bind the defendant in a bond of not less than three hundred dollars for his or her appearance to the circuit court of the county to answer any indictment on said charge; and the judge or justice of the peace shall declare the intoxicating liquors, still or stills, material

or equipment, machinery or devices seized to be contraband and confiscate the same at once, and have the same immediately destroyed.

§ 3. If any person shall arrest, or directly or indirectly cause the arrest of any person guilty of violation of this act within this Commonwealth and shall secure the indictment and conviction of such person in a court of competent jurisdiction the person so securing the arrest, indictment and conviction shall be entitled to a reward of fifty dollars for each person convicted, which reward shall be approved by the judge of the circuit court in which the trial is had and certified as other claims to the Auditor of Public Accounts for payment.

§ 4. An illicit or 'moonshine' still under this act shall include an outfit or parts of an outfit, commonly and exclusively used in the distillation of spirituous liquors, which at the time of trial is not registered in the office of a collector of internal revenue for the United States and the burden of proving the same is so registered is on the defendant.

§ 5. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	Frank Kennard	H. G. Skiles
Sidney Alfrey	Dr. S. D. Laughlin	S. G. Smith
L. H. Ballard	Hebron Lawrence	Wm. A. Stewart
H. H. Barnes	Joseph Lazarus	John T. E. Stites
S. M. Bennett	Rev. J. A. Lee	T. R. Stultz
J. M. Billiter	R. C. Marcum	John W. Swope
Roy J. Cain	I. S. Mason	John B. Thomas
W. T. Carner	A. J. McCandless	J. Mack Thompson
J. F. Carr	H. C. McLellan	Dr. D. J. Travis
T. L. Caudel	John T. Murphy	C. B. Truesdell
B. L. Cox	Estill W. Neel	John L. Trumbo
J. S. Cruse	Chas. A. Nelson	J. Wood Vance
H. N. Dean	T. P. Oliver	Fred C. VanHoose
J. M. Foster	T. C. Pryse	Daniel Vose
Dr. T. H. Gamblin	S. C. Ray	J. S. Webb
B. J. Geohringer	B. F. Reynolds	Dr. T. R. Welch
A. F. Hanberry	J. L. Richardson	R. E. Wilborn
E. C. Hardin	Sherman Robbins	V. M. Williamson
Adam W. Huff	B. A. Roth	W. N. Winn
Robt. Humphreys	Chas. R. Scott	Dr. W. S. Yazell
R. O. Huntsman	W. P. Scott	—64
Henry Kaufman	Dr. B. F. Shields	

Those who voted in the negative were:

H. C. Duffy	W. L. Kimbrough	R. Lee Stewart
J. W. Johnson		—4

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus called up for consideration Senate Resolution No. 27.

Said resolution reads as follows:

Whereas, there are in Government bonded warehouses in this State about forty million gallons of whisky; and

Whereas, it is costing the Government large sums of money to properly guard and protect said liquors in said warehouses; and

Whereas, said liquors will necessarily have to be kept for a number of years until withdrawn for medicinal and other purposes now allowed by law; and

Whereas, it would be to the interest of the public welfare to have said liquors withdrawn from the large number of scattered and isolated warehouses, and placed in more secure and proper locations; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Congress of the United States is hereby petitioned and requested to enact appropriate legislation to enable the United States Government to purchase all of the spirituous, vinous and malt liquors now in the Government storage bonded warehouses, at an adequate and reasonable price, and to provide that the United States Government may become the sole owner of all such liquors, and to remove same and place same in the sole care and custody of said Government.

§ 2. That the Clerks of the Senate and of the House of Representatives of the General Assembly of Kentucky shall transmit certified copies of this resolution to the President of the Senate and the Speaker of the House of the National Congress, at Washington, and a copy to each of the Senators and Representatives from this State.

The yeas and nays being taken on the passage of said resolution resulted as follows:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	B. A. Roth
Sidney Alfrey	R. O. Huntsman	Chas. R. Scott
L. H. Ballard	J. W. Johnson	W. P. Scott
H. H. Barnes	Henry Kaufman	Dr. B. F. Shields
S. M. Bennett	Griffin Kelly	H. G. Skiles
J. M. Billiter	Frank Kennard	R. Lee Stewart
Roy J. Cain	Dr. S. D. Laughlin	Wm. A. Stewart
W. T. Carner	Hebron Lawrence	T. R. Stultz
J. F. Carr	Joseph Lazarus	John W. Swope
T. L. Caudel	Rev. J. A. Lee	John B. Thomas
A. S. Cooper	R. C. Marcum	J. Mack Thompson
B. L. Cox	I. S. Mason	Dr. D. J. Travis
J. S. Cruse	A. J. McCandless	C. B. Truesdell
H. N. Dean	R. L. McFarron	John L. Trumbo
J. B. Denues	John T. Murphy	J. Wood Vance
J. M. Foster	Estill W. Neel	Fred C. VanHoose
B. J. Geohringer	Chas. A. Nelson	Daniel Vose
J. W. Geveden	T. P. Oliver	A. M. Wash
A. L. Hamilton	T. C. Pryse	J. S. Webb
A. F. Hanberry	S. C. Ray	R. E. Wilborn
E. C. Hardin	B. F. Reynolds	W. N. Winn
D. J. Howard	J. L. Richardson	Dr. W. S. Yazell
A. R. Hudson	Sherman Robbins	—68

Those who voted in the negative were:

H. C. Duffy —1

So said resolution was adopted.

Mr. Lazarus moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 277. An Act relating to the assessment of omitted intangible property with the county clerk and also the assessment of other property with the county clerk where such property has not been assessed by the county tax commissioner and prescribing his duties and methods of procedure.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When the owner of any intangible property has failed to assess same with the county tax commissioner of his county and assesses same with the county clerk after he has become delinquent, the county clerk shall immediately forward the schedule to the State Tax Commission and that body shall pass on it in the same manner that it deals with the intangible schedules sent in by the county tax commissioner. If the county board of supervisors has not met for the supervision and equalization of property for the year covered by said schedule, the State Tax Commission shall return the schedule to the county clerk with any direction found necessary, and it shall be turned over to the Board of Supervisors with other schedules of intangible property which have been returned to the county clerk for correction. If no correction in such schedule is found necessary, the direction to the Board of Supervisors shall be to enter it upon the books. If the supervisors have already adjourned, the State Tax Commission shall return the schedule to the county clerk with necessary directions. If any change in the schedule is found necessary, the State Tax Commission shall direct the county clerk as to the change and the county clerk shall notify the taxpayer as to the change made, and if the taxpayer is dissatisfied he may appeal as from the action of the Board of Supervisors and the county attorney or sheriff shall have the same right of appeal for the

State. When the assessment becomes final, the county clerk shall make out an omitted tax bill and shall make certification as required by law. The County Board of Supervisors shall not have the right to make an original assessment of omitted intangible property. If the taxpayers fails to assess with the county clerk, after having failed to assess with the County Tax Commissioner, the property may be assessed as omitted property.

§ 2. If any taxpayer fails to assess his tangible property with the County Tax Commissioner, he shall assess same with the county clerk, or it may be assessed as omitted property. If such assessment is made by the county clerk before the first meeting of the supervisors for the year covered by the assessment, he shall report the schedule to the Board of Supervisors with directions to equalize the assessment and place it on the books. If such assessment is made after the Board of Supervisors has adjourned for said year, the county clerk shall have the same power as the Board of Supervisors, and it shall be his duty to see that the property is assessed according to law. If he makes any change in the assessment, he shall cause the taxpayer to be notified of such change and the taxpayer shall have the same right of appeal as from the action of the Board of Supervisors, and the county attorney or sheriff shall have the same right of appeal for the Commonwealth. When the assessment is finally completed, the county clerk shall make out an omitted tax bill and shall make certification thereof as required by law.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard
H. H. Barnes
S. M. Bennett
Roy J. Cain
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
A. S. Cooper
B. L. Cox
J. S. Cruse
H. N. Dean
J. B. Denues
H. C. Duffy
J. M. Foster
B. J. Geohringer
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. F. Hanberry
E. C. Hardin
D. J. Howard
R. O. Huntsman
Henry Kaufman
Griffin Kelly
Frank Kennard
W. L. Kimbrough
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Rev. J. A. Lee
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellan
Harry J. Meyers
Estill W. Neel
Chas. A. Nelson
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
B. A. Roth
Dr. Lewis Ryans
Chas. R. Scott
W. P. Scott
Dr. B. F. Shields
H. G. Skiles
S. G. Smith
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
T. R. Stultz
John B. Thomas
J. Mack Thompson
Dr. D. J. Travis
C. B. Truesdell
Fred C. VanHoose
Daniel Vose
A. M. Wash
Dr. T. R. Welch
W. G. Wheeler
W. N. Winn
Dr. W. S. Yazell
—64

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration House Bill No. 228.

Mr. Lazarus moved to defer consideration of said bill until tomorrow.

Said motion was agreed to.

The following bills were sent to the Senate:

House Bills Nos. 491, 489, and Senate Bills Nos. 176, 11, 250 and 153.

Mr. Lazarus, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz:

Senate Bill No. 176. An Act repealing section 4385-a, and Chapter CXXIII of the Acts of 1916 and re-enacting in lieu thereof an entire new chapter, relating to employes of the Superintendent of Public Instruction.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter CXXIII of the Acts of 1916 be, and the same is, hereby repealed and there is hereby re-enacted a new chapter.

§ 2. The Superintendent of Public Instruction shall receive a salary of $2,500 and the additional amount he receives as chief inspector and examiner of schools, per annum, besides which he shall be entitled to all office fixtures and stationery, books and postage, fuel and light needed to carry on the work of his office, and traveling expenses incurred in the necessary and proper performance of his duties. The superintendent of Public Instruction shall have the power to appoint for his department such clerks and stenographers as may be needed, who shall serve for the term for which he is elected, unless sooner removed by him. They shall perform such duties as otherwise provided by law as may be assigned

them by the Superintendent of Public Instruction for the furtherance of the discharge of his duties.

The salary paid to each clerk and to each stenographer shall be determined by the State Superintendent of Public Instruction, and such salary or salaries shall be paid monthly out of the school fund by the State Treasurer, provided that not more than $11,000 is to be used annually for the payment of the salaries of such clerks and stenographers.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Sidney Alfrey	Griffin Kelly	W. P. Scott
L. H. Ballard	W. L. Kimbrough	Dr. B. F. Shields
H. H. Barnes	J. M. Knott	H. G. Skiles
S. M. Bennett	Dr. S. D. Laughlin	S. G. Smith
J. M. Billiter	Hebron Lawrence	R. Lee Stewart
Roy J. Cain	Joseph Lazarus	Wm. A. Stewart
W. T. Carner	Rev. J. A. Lee	John T. E. Stites
J. F. Carr	I. S. Mason	T. R. Stultz
T. L. Caudel	A. J. McCandless	John W. Swope
A. S. Cooper	R. L. McFarron	John B. Thomas
B. L. Cox	H. C. McLellan	J. Mack Thompson
J. S. Cruse	Harry J. Meyers	Dr. D. J. Travis
H. N. Dean	Claude D. Minor	C. B. Truesdell

J. B. Denues	Mack J. Morgan	John L. Trumbo
J. M. Foster	John T. Murphy	Fred C. VanHoose
B. J. Geohringer	Estill W. Neel	Daniel Vose
A. L. Hamilton	T. C. Pryse	A. M. Wash
A. F. Hanberry	S. C. Ray	Dr. T. R. Welch
Talbert Holliday	B. F. Reynolds	R. E. Wilborn
D. J. Howard	J. L. Richardson	V. M. Williamson
Adam W. Huff	Sherman Robbins	W. N. Winn
Robt. Humphreys	Lee Rogers	Dr. W. S. Yazell
R. O. Huntsman	B. A. Roth	—70
Henry Kaufman	Chas. R. Scott	

Those who voted in the negative were:

Lon Adams	J. W. Johnson	W. G. Wheeler
H. C. Duffy	Chas. A. Nelson	—7
Dr. W. L. Gossett	J. Wood Vance	

Resolved that the title thereof be as aforesaid.

Mr. Lazarus, of the Committee on Rules, called up for consideration Senate Bill No. 84.

Then the House took up for consideration, from the Orders of the Day, a bill entitled:

Senate Bill No. 84. An Act empowering the State Executive Agent of the Game and Fish Commission of the Commonwealth of Kentucky to take control of and lease the mussel shell beds lying and being in the Ohio river belonging to or controlled by the State of Kentucky, and to regulate the catching of said shells and to have authority to co-operate with the United States Government in its propagation of mussels, and imposing penalties for violation of the provisions of this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Executive Agent of the Game and Fish Commission shall have authority to take control of and lease the mussel shell beds lying and being in the Ohio river and to regulate the catching of same, as agent for the State, as hereinafter provided.

§ 2. It shall be unlawful to take, catch or kill, or offer for sale or have in possession for commercial purposes any mussel of a size less than one and three-fourths inches in greatest dimension, except mussels taken in the ordinary course of clamming for larger mussels and such undersize mussels shall be immediately culled and returned to the water, whence taken without avoidable injury.

§ 3. The Executive Agent of the Game and Fish Commission shall have the authority in his co-operation with the United States Government in the propagation of the mussels to close such beds from time to time as becomes necessary for this purpose, so as to save them from depletion.

§ 4. The right to catch or to take mussel shells, located as described herein, shall not be permitted to any lessee or person to an extent greater than at the rate of sixty tons of shells per year to a mile of such beds, nor by the use of boats, at the rate of more than three to a mile of such beds. Nor shall same be taken by the process known as dredging, or by the use of tongs, or any device or instrument, other than by the use of what is known as a shell hook, provided, however, that such taking may be made by hand. It shall be unlawful to catch or take such shells when there is more than twenty feet of water on the nearest Government gauge.

§ 5. The contracts of the lessee, or lessees, for said mussel shell beds shall be in writing, secured by bond, conditioned for the faithful performance of such contracts, with approved surety, in such sum as shall be prescribed by the Executive Agent; and all contracts shall be approved by the Governor. No contract shall be entered into, however, which shall grant the exclusive right or a monopoly of said mussel shell beds.

§ 6. Each lessee or person placed in charge of such beds named herein, shall make monthly, a sworn report to the said Executive Agent, of the operation of said property under his lease or control, and especially all shipments of mussel shells taken from said beds, under his contract, during each month, giving the aggregate number of tons of shells taken therefrom, and said report shall contain any further statements of the details of the operation of the lease, as may be required by the Executive Agent.

§ 7. Any person violating any of the provisions of this act, in the operation of his lease, in taking mussel, shall be guilty of a misdemeanor, and be fined for each offense not less than twenty-five nor more than one hundred dollars, and any person taking mussel shells from the State's properties as herein defined, not a leaseholder or without the permission of the State Executive Agent, shall be fined a like sum.

§ 8. Within thirty days after making the report provided for herein, if the same is approved by the Executive Agent, the lessee shall pay the sum owing, under his contract into the State Treasury to be credited to the general expenditure fund. The Executive Agent shall be authorized to draw his warrant on the State Treasurer for any necessary expenses incurred in carrying out the provisions of this act, and said expense shall be approved by the Governor.

§ 9. The Executive Agent shall make a written report each year to the Governor, and with the consent of the Governor, may enter into any contract or agreement with the United States Government or any Department or Bureau thereof to conserve the mussel beds, and propagate the mussel in the territory owned or controlled by the State.

§ 10. The Executive Agent of the Game and Fish Commission shall be responsible on his official bond to the Commonwealth for the proper accounting of all funds that may come into his hands under this act.

§ 11. That if any section or part of this Act should be declared unconstitutional by any court said section or part of said Act so held to be unconstitutional shall not affect or invalidate any sections or parts of this Act that are constitutional.

§ 12. This Act shall take effect and be in force upon its passage and approval by the Governor, in the time as provided by law.

Mr. VanHoose moved the previous question.

The Speaker stated: "Shall the main question now be ordered?"

Said question was decided in the negative.

Mr. Lawrence offered the following amendment:

Amend Senate Bill No. 84 by striking from the title the words "and lease" and:

Amend the bill by striking from Section 1, line 2, the words "and lease" and by striking from Section 4, line 2, the words "to any lessee or person" and by striking from Section 4 that part of line 4 beginning with the word "nor" and all of lines 5, 6 and 7, and that part of line 8 up to and including the word "hand" and by striking out all of Section 5 and Section 6, and by striking from Section 7, lines 1 and 2, the words "in the operation of his lease" and by striking from Section 7 that part of line 4 beginning with the word "and" and lines 5 and 6, and by striking from Section 8, lines 1, 2 and 3, and that part of line 4 up to and including the word "fund."

Said amendment was disagreed to.

Mr. Johnson moved that the bill do lie on the table.

Said motion was lost.

Ordered, that said bill be read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constituitonal provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	R. O. Huntsman	B. A. Roth
H. H. Barnes	Henry Kaufman	W. P. Scott
Rodney G. Bryson	Griffin Kelly	H. A. Spillman
Charles M. Ciarlo	W. L. Kimbrough	T. R. Stultz
J. S. Cruse	Joseph Lazarus	J. Mack Thompson
J. B. Denues	H. C. McLellan	J. H. Thompson
H. C. Duffy	Harry J. Meyers	C. B. Truesdell
J. M. Foster	Mack J. Morgan	J. Wood Vance
B. J. Geohringer	John T. Murphy	J. S. Webb
A. L. Hamilton	Estill W. Neel	Dr. T. R. Welch
E. C. Hardin	T. C. Pryse	V. M. Williamson
Talbert Holliday	J. L. Richardson	W. N. Winn
Robt. Humphreys	Lee Rogers	—38

Those who voted in the negative were:

Lon Adams	Frank Kennard	R. Lee Stewart
L. H. Ballard	J. M. Knott	Wm. A. Stewart
S. M. Bennett	Dr. S. D. Laughlin	John T. E. Stites
J. M. Billiter	Hebron Lawrence	John W. Swope
Roy J. Cain	Rev. J. A. Lee	John B. Thomas
W. T. Carner	R. C. Marcum	Dr. D. J. Travis
J. F. Carr	I. S. Mason	John L. Trumbo
T. L. Caudel	A. J. McCandless	Fred C. VanHoose
A. S. Cooper	R. L. McFarron	Daniel Vose
J. W. Geveden	Chas. A. Nelson	A. M. Wash
Dr. W. L. Gossett	S. C. Ray	W. G. Wheeler

A. F. Hanberry	Sherman Robbins	R. E. Wilborn
D. J. Howard	Chas. R. Scott	Dr. W. S. Yazell
A. R. Hudson	Dr. B. F. Shields	—43
J. W. Johnson	S. G. Smith	

So said bill was rejected.

Mr. Lazarus moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lazarus, of the Committee on Rules, called up for consideration the Senate amendment to House Bill No. 187.

Said amendment is as follows:

Amend House Bill 187 in Senate by striking out the words "seventy-five" inserted in ink, and amending the word "fifty" in line 5 by striking it out and writing "seventy-five" in lieu thereof.

Said amendment was concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Dr. S. D. Laughlin	Chas. R. Scott
H. H. Barnes	Hebron Lawrence	W. P. Scott
J. M. Billiter	Joseph Lazarus	H. G. Skiles
Rodney G. Bryson	Rev. J. A. Lee	S. G. Smith
J. F. Carr	R. C. Marcum	R. Lee Stewart
T. L. Caudel	I. S. Mason	Wm. A. Stewart
A. S. Cooper	A. J. McCandless	John T. E. Stites
J. S. Cruse	R. L. McFarron	T. R. Stultz
B. J. Geohringer	H. C. McLellan	John W. Swope
J. W. Geveden	Harry J. Meyers	John B. Thomas
Dr. W. L. Gossett	Claude D. Minor	J. Mack Thompson
A. F. Hanberry	John T. Murphy	Dr. D. J. Travis
E. C. Hardin	Estill W. Neel	Daniel Vose
A. R. Hudson	Chas. A. Nelson	A. M. Wash
J. W. Johnson	T. C. Pryse	J. S. Webb
Henry Kaufman	S. C. Ray	R. E. Wilborn
Griffin Kelly	J. L. Richardson	W. N. Winn
Frank Kennard	Sherman Robbins	Dr. W. S. Yazell
W. L. Kimbrough	Lee Rogers	—58
J. M. Knott	B. A. Roth	

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, called up for consideration the Senate amendments to House Bill No. 225.

Said amendments are as follows:

Amend House Bill 225 by striking out the word "and" after the word "county," in line 8, Section 1, and inserting the word "and" after the word "purpose" in line 10, and substituting the word "may" for the word "shall" in line 10.

Also amend House Bill 225 by striking the word "and" from line 7, Section 4, and by striking out the word "shall" in line 10 of Section 4.

Also amend House Bill 225 by striking therefrom all of Section 8 and changing the number of Section 9 to Section 8.

Said amendments were concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	J. M. Knott	Chas. R. Scott
Roy J. Cain	Dr. S. D. Laughlin	W. P. Scott
W. T. Carner	Hebron Lawrence	H. G. Skiles
J. F. Carr	Joseph Lazarus	S. G. Smith

T. L. Caudel	Rev. J. A. Lee	R. Lee Stewart
A. S. Cooper	R. C. Marcum	Wm. A. Stewart
J. S. Cruse	I. S. Mason	John T. E. Stites
J. M. Foster	A. J. McCandless	T. R. Stultz
B. J. Geohringer	R. L. McFarron	John B. Thomas
A. L. Hamilton	H. C. McLellan	J. Mack Thompson
A. F. Hanberry	Harry J. Meyers	J. Wood Vance
E. C. Hardin	John T. Murphy	Daniel Vose
A. R. Hudson	Estill W. Neel	A. M. Wash
Robt. Humphreys	S. C. Ray	J. S. Webb
Henry Kaufman	J. L. Richardson	R. E. Wilborn
Griffin Kelly	Sherman Robbins	V. M. Williamson
W. L. Kimbrough	Lee Rogers	—51

Those who voted in the negative were:

Lon Adams	Chas. A. Nelson	Dr. D. J. Traves
J. W. Johnson	John W. Swope	W. N. Winn
		—6

Resolved, That the title thereof be as aforesaid.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

Mr. Lazarus, of the Committee on Rules, called up for consideration the Senate amendments to House Bill No. 226.

Said amendments are as follows:

(1) Amend House Bill 226 in Senate by striking out Section No. 6 and numbering Section No. 7, No. 6.

(2) Amend by striking out the word "second" in line 2 of Section 1.

(3) Amend House Bill 226 by striking from lines 25 and 26, Section 2, the following words: "and shall be so selected and appointed as never to have more than three members of the same political party."

(4) Amend House Bill 226 in Senate by striking out Section 7, and by inserting in lieu thereof the following, viz: "All laws and parts of laws in conflict herewith are hereby repealed."

(5) Amend title to House Bill 226 by striking therefrom the word "second."

Said amendments were concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Lazarus moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

J. M. Billiter	Griffin Kelly	Sherman Robbins
Roy J. Cain	W. L. Kimbrough	B. A. Roth
W. T. Carner	J. M. Knott	W. P. Scott
J. F. Carr	Dr. S. D. Laughlin	S. G. Smith
T. L. Caudel	Hebron Lawrence	R. Lee Stewart
J. S. Cruse	Joseph Lazarus	Wm. A. Stewart

J. M. Foster	R. C. Marcum	T. R. Stultz
B. J. Geohringer	I. S. Mason	John W. Swope
A. L. Hamilton	A. J. McCandless	J. Mack Thompson
A. F. Hanberry	R. L. McFarron	John L. Trumbo
E. C. Hardin	Harry J. Meyers	J. Wood Vance
D. J. Howard	Claude D. Minor	Daniel Vose
A. R. Hudson	John T. Murphy	A. M. Wash
Robt. Humphreys	Estill W. Neel	W. G. Wheeler
R. O. Huntsman	S. C. Ray	R. E. Wilborn
J. W. Johnson	B. F. Reynolds	W. N. Winn
Henry Kaufman	J. L. Richardson	Dr. W. S. Yazell

—51

Those who voted in the negative were:

Lon Adams	Chas. A. Nelson	Dr. D. J. Travis

—3

Resolved, That the title thereof be as amended.

Mr. Lazarus moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Ordered, that said bill be enrolled.

The Committee on Rules moved that House Bills Nos. 515, 129, 438, 550, 548, and Senate Bills Nos. 264, 68, 206, and House Bill No. 553, be read the first time and placed in the calendar.

Said motion was agreed to.

Then House Bill No. 515, entitled: An Act to exempt domestic mutual and assessment and co-operative fire insurance companies from the provisions of any other act passed at the present session of the General Assembly.

House Bill No. 129, entitled: An Act relating to revenue and taxation.

House Bill No. 438, entitled: An Act to provide for the protection of employees on buildings, and for the inspection of ropes and scaffolds used in the construction, repairing or painting of same, and providing penalty for the violation of the provisions of this Act.

House Bill No. 548, entitled: An Act to amend Section 3563, Kentucky Statutes, being Section 2 of an Act which became a law in the year 1916, being entitled "An Act to amend and re-enact Sections 3562, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3574, 3575, 3576, 3577, 3578, of the Kentucky Statutes relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways, and thoroughfares in cities of the fourth class," so as to require counties to pay for the cost of all improvements imposed by the city ordinance upon the property of counties abutting upon streets in cities of the fourth class, to the same extent as other property owners.

Senate Bill No. 264, entitled: An Act to provide for the opening of private pass-ways, tram-roads and haul-roads.

Senate Bill No. 68, entitled: An Act pertaining to the adoption of children and the powers of societies and institutions in child welfare work, through their officers, to consent to adoptions, and concerning the reclaiming of children by parents or others; and legalizing the adoptions heretofore made which would otherwise be invalid for lack of power to consent.

House Bill No. 553, entitled: An Act to provide for the removal of sand or gravel from that portion of the Ohio River between the thread of the main current and the low water mark on the Illinois, Indiana and Ohio shores; providing for a tax thereon and the collection thereof, and providing for permits to be issued by the Secretary of State.

Senate Bill No. 206, entitled: A bill providing for the establishment of an independent consolidated graded and high school.

House Bill No. 550, entitled: An Act to amend and re-enact Section 22 of Chapter LIV of the Acts of the General Assembly of 1918, relating to the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons.

Were severally read at length the first time and ordered to be placed in the calendar.

Mr. Lazarus moved that all bills in the calendar be read the second time, and that the second reading be by their title only.

Said motion was agreed to.

Then the House took up for consideration from the calendar bills of the following titles:

Senate Bill No. 132. An Act to amend an Act entitled, "An Act to amend an Act entitled 'An Act for the government of cities of the second class in the Commonwealth of Kentucky,' which was approved March 19, 1894, and thereafter in due course became a law, and as same, has since been amended, all of which said Act and amendments now appear as Article 3, of Chapter LXXXIX, of the Kentucky Statutes, in John D. Carroll's Edition thereof in 1909," which was approved on March 21, 1910, and thereafterwards became a law.

Senate Bill No. 141. An Act to amend and re-enact Sections 4282 and 4283 of Kentucky Statutes, Carroll's Edition of 1918.

Senate Bill No. 334. An Act to amend Section 4337 of Volume 2 of Carroll's 1915 Edition of the Kentucky Statutes.

Senate Bill No. 231. An Act requiring the teaching in the public schools of humane treatment to animals.

Senate Bill No. 155. An Act to repeal, amend and reenact Section 1847, Kentucky Statutes, Carroll's Edition, 1915, relating to Commissioners to constitute Fiscal Courts, and providing for special election therefor.

Senate Bill No. 116. An Act repealing Section No. 2241 of Carroll's Kentucky Statutes, Carroll's Edition, 1915, relating to Commissioners to constitute Fiscal Courts, and providing for special election therefor.

Senate Bill No. 364. An Act relating to the levy and assessment of taxes and providing the manner of assessment and collection of taxes in all schools in the Commonwealth, maintained, operated or conducted under any charter granted by this Commonwealth.

Senate Bill No. 362. An Act relating to the Clerk of the Court of Appeals, requiring him to make monthly reports under oath of all moneys received by him on account of his official duties or position from all sources, and to pay over to the Auditor the amounts so received; deputies allowed; and making provision for the salary of the Clerk of the Court of Appeals and his deputies.

Senate Bill No. 359. An Act to provide for the construction and maintenance, in cities of the first class, of memorials in honor of the soldiers and sailors furnished by such cities and the counties wherein situated, to the United States army and navy during the recent world war; providing for the voting of a bond issue in such cities; and for the acceptance of gifts and donations, for such purposes; partially repealing Section 2827, Kentucky Statutes; and for related purposes, including the creation of a Memorial Commission in such cities.

Senate Bill No. 135. An Act to amend Section 540, Kentucky Statutes, Carroll's 1915 Edition, relating to corporations.

Senate Bill No. 269. An Act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of such contracts, stocks, bonds, or other securities, and an inspection of the business of said persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents, as may be necessary to prevent fraud in the sale within this State of any contracts, stocks, bonds, or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

Senate Bill No. 319. An Act to authorize the incorporation in each county of the State of Kentucky of a County Farm Bureau for the advancement and improvement of agriculture, home economics, animal industry and horticulture cooperating with the College of Agriculture of the University of Kentucky and the United States Department of Agriculture, to define the powers and rights of such farm bureaus and its members, to provide for appropriation by county fiscal courts or county commissioners in aid thereof and to provide for the federation of such County Farm Bureaus.

Senate Bill No. 144. An Act relating to children who are now or hereafter may become dependent, neglected or delinquent in counties containing cities of the first class in the Commonwealth of Kentucky, and providing for the selection and appointment of commissioners, referees and probation officers in such counties and prescribing their terms of office, their duties and remuneration.

Senate Bill No. 331. An Act fixing the salary of the Deputy Insurance Commissioner.

House Bill No. 549. An Act further regulating elections by prescribing the qualifications of women to vote in the first Primary election held after they are entitled to vote, either by State law or under the provisions of the Federal Constitutional Amendment giving to women the right to vote, and prescribing their qualifications in all Primary elections held subsequent to such first Primary election; prescribing the method of the registration of women in the first registration after they become entitled to register either by State law or under the provisions of the Federal constitutional amendment giving to women the right of suffrage; providing for the redistricting of each county into voting precincts to accommodate the women voters when they become entitled to vote; and providing for additional ballots in Primary elections and in all general elections at and in which women are entitled to vote.

House Bill No. 543. An Act amending sub-section 1 of Section 3643, Kentucky Statutes, Carroll's 1915 Edition, by eliminating from said section the words, "the cost of constructing or re-constructing the intersection or crossing of streets, avenues and highways shall be at the expense of the city."

House Bill No. 441. An Act to prohibit owners or claimants of land under Junior Patents being defeated in their rights by pleading of old Virginia or Kentucky Land Grants or Patents.

House Bill No. 498. An Act to repeal Subsection 24 and Sub-section 32 of Section 68-b, Carroll's 1918 Edition of the Kentucky Statutes, relating to taxation of dogs, their detention at night and their prosecution by State officials.

House Bill No. 520. An Act to amend Section 762 Kentucky Statutes, Carroll's Edition 1918, relating to compensa-

tion to attorneys and agents of department and State Treasurer.

Said bills were severally read the second time by their titles and ordered to be placed in the Orders of the Day.

A message was received from the Senate announcing that it had passed Senate Bill No. 198, entitled: An Act requiring the State Tax Commission to prescribe forms to be used by County Clerk in making reports to the Auditor of exonerations.

Senate Bill No. 169, entitled: An Act giving to jewelers a lien on goods left with them for repair, and providing the method of sale thereof.

Senate Bill No. 134, entitled: An Act to amend Section 2525, Kentucky Statutes, Carroll's 1915 Edition, relating to limitation of actions.

Ordered that said bills be printed and referred to the Committee on Rules.

Also that the Senate had passed House Bills Nos. 313, and 12.

Ordered that said bills be enrolled.

House Bill No. 136, passed by the House, was sent to the Senate.

Mr. Lazarus moved that the House do adjourn at the conclusion of the report of the Committee on Enrollments.

Said motion was agreed to.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz:

House Bill No. 513, entitled: An Act imposing an annual license tax upon every corporation, association, partnership and individual engaged in the business of manufacturing distilled spirits known as whisky or brandy, or other species of double stamp spirits in this State, and upon every corporation, association, partnership and individual engaged in the business of owning and storing such spirits in bonded warehouses in the State and in removing same therefrom for the purpose of sale, or for any other purpose; providing for monthly reports by distilleries and bonded warehousemen, for the purpose of ascertaining the amount of tax due; providing for monthly payments of the amount of license tax due; fixing a penalty for failure to make such monthly report and settlement; providing for the manner of distribution of the taxes so collected; repealing all other license, franchise and excise taxes on the businesses covered by this act, and declaring an emergency to exist.

House Bill No. 228, entitled: An Act in relation to 798 shares of stock held by the State Board of Education of the Commonwealth of Kentucky in the National Bank of Kentucky, and authorizing its exchange for stock in the National Bank of Kentucky, which was consolidated with the National Bank of Commerce and the American Southern National Bank, in the proportion of .6079 shares of new stock in the consolidated bank to each share of stock in the old bank, and a cash bonus on each share of the old stock in addition thereto, and authorizing the Sinking Fund Commissioners to invest the cash received from said exchange in bonds of the United States.

House Bill No. 178, entitled: An Act to amend and reenact Chapter CXV of the Acts of 1916, being an Act entitled, "An Act providing a stenographer in the County Attorney's office in counties containing cities of the first class."

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills and resolution of the following titles, viz:

House Bill No. 45, entitled: An Act authorizing counties of the State of Kentucky containing cities of second and third class to establish county hospitals and issue bonds for purchase of hospital site, construction and maintenance of same, and providing a tax levy for hospital expenses and maintenance and providing for a training school for nurses in connection therewith.

House Bill No. 196, entitled: An Act defining boundaries for school districts, embracing cities of the fourth class, and providing systems of schools in such district, and creating boards of education for such districts, providing for election thereof, defining their powers and duties, and repealing all laws in conflict therewith.

House Bill No. 405, entitled: An Act to amend and reenact Section 513 of the Kentucky Statutes, relating to indexing of conveyances.

House Resolution No. 31, entitled: A resolution providing a copy of the House and Senate Journal of the present session for the use of the Louisville Law Library, Louisville, Ky.

House Bill No. 424, entitled: An Act to incorporate the Kentucky State Horticultural Society, to define its powers and duties and appropriate $5,000 for the execution of its purposes.

Whereupon all other business was suspended, said bills and resolution were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bills and resolution.

Ordered that the Enrolling Clerk deliver said bills and resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills and resolution which originated in the House to the Clerk.

Ordered that the Chief Clerk deliver the enrolled bills and resolution which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Hudson, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz:

Senate Bill No. 256, entitled: An Act creating the position of member ex-officio of the Board of Trustees of the University of Kentucky.

Senate Bill No. 143, entitled: An Act to suppress mob violence and prevent lynching; providing for punishment of persons violating the provisions of the act, and for the removal of officers permitting a prisoner to be injured or lynched by a mob.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

Then the House, at 5:00 P. M., adjourned.

FRIDAY, MARCH 12, 1920.

The House was called to order at 10:00 A. M.

The House was opened with prayer by Rev. McGlothlin, of the Baptist Church.

The roll call to ascertain the presence of a quorum resulted as follows:

Lon Adams	A. R. Hudson	B. A. Roth
Sidney Alfrey	Adam W. Huff	Dr. Lewis Ryans
L. H. Ballard	Robt. Humphreys	Chas. R. Scott
W. T. Beckham	J. W. Johnson	W. P. Scott
S. M. Bennett	Henry Kaufman	E. E. Shannon
J. M. Billiter	Griffin Kelly	Dr. B. F. Shields
W. M. Boling	Frank Kennard	H. G. Skiles

Rodney G. Bryson	W. L. Kimbrough	R. Lee Stewart
Roy J. Cain	J. M. Knott	Wm. A. Stewart
W. T. Carner	Dr. S. D. Laughlin	John T. E. Stites
J. F. Carr	Hebron Lawrence	Frank L. Strange
T. L. Caudel	Joseph Lazarus	T. R. Stultz
Charles M. Ciarlo	Rev. J. A. Lee	John W. Swope
A. S. Cooper	Elmer Lusby	John B. Thomas
B. L. Cox	I. S. Mason	J. Mack Thompson
J. S. Cruse	A. J. McCandless	Dr. D. J. Travis
P. A. Day	R. L. McFarron	C. B. Truesdell
H. N. Dean	H. C. McLellan	John L. Trumbo
J. B. Denues	Claude D. Minor	Fred C. VanHoose
H. C. Duffy	John T. Murphy	Daniel Vose
J. M. Foster	Estill W. Neel	G. C. Waggoner
Dr. T. H. Gamblin	Chas. A. Nelson	A. M. Wash
B. J. Geohringer	T. P. Oliver	J. S. Webb
J. W. Geveden	S. C. Ray	Dr. T. R. Welch
Dr. W. L. Gossett	B. F. Reynolds	Gladstone Wesley
A. L. Hamilton	J. L. Richardson	W. G. Wheeler
Dr. W. L. Haynes	Sherman Robbins	W. N. Winn
D. J. Howard	Lee Rogers	Dr. W. S. Yazell

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On motion of Mr. Roth, the reading of the Journal of Thursday, March 11, 1920, was dispensed with and the Journal approved.

Mr. Charles R. Scott offered the following resolution:

Whereas, The Susannah Hart Shelby Chapter of the National Society of the Daughters of the American Revolution has brought to the State Monument grounds of the Cemetery at Frankfort, Kentucky, the remains of Lieutenant Presley Neville O'Bannon, of the United States Marines, the first man to plant the American flag on foreign soil, a young Kentuckian with Commodore Decatur in 1805, on the African coast against pirates of the Mediterranean Sea; and whereas the grave of this hero was found in an open tobacco field, alone and neglected, the tombstone falling to the ground; and whereas, Lieutenant O'Bannon was a member of the Kentucky

Legislature from Logan County, from 1812 to 1820; and whereas, the consent of the nearest kindred was obtained and all expenses borne by the said Susannah Hart Shelby Chapter; Now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the action of the Susannah Hart Shelby Chapter of the National Society of the Daughters of the American Revolution be approved and commended in the removal of the remains of Lieutenant O'Bannon to the State Monument grounds in the Cemetery at Frankfort, Kentucky.

Said resolution was adopted.

Dr. Haynes offered Resolution No. 44.

Said resolution reads as follows:

Whereas, The subject of old age pensions and health insurance is being agitated throughout the civilized world as a more humane way of caring for the worthy poor when no longer able to care for themselves.

Therefore, Be it resolved by the House of Representatives of the Commonwealth of Kentucky, the Senate concurring therein, that a joint committee of the House and Senate, consisting of three members of the House and two members of the Senate, be appointed to make a thorough investigation of health insurance and old age pensions, and report to the next regular session of the General Assembly.

And be it further resolved that said committee is hereby authorized and empowered to employ such clerical help as may be necessary in the discharge of their duty.

And be it further resolved that the sum of two hundred dollars, or so much thereof as is necessary, be and the same is hereby appropriated for paying the expense of said investigation.

Mr. VanHoose moved to suspend the rules and take up said resolution for immediate consideration.

Said motion was agreed to.

The yeas and nays being taken on the passage of said resolution resulted as follows:

Those who voted in the affirmative were:

S. M. Bennett	J. M. Knott	R. Lee Stewart
Rodney G. Bryson	Dr. S. D. Laughlin	Wm. A. Stewart
Roy J. Cain	Joseph Lazarus	John T. E. Stites
W. T. Carner	Elmer Lusby	Frank L. Strange
J. F. Carr	I. S. Mason	T. R. Stultz
T. L. Caudel	A. J. McCandless	John W. Swope
A. S. Cooper	R. L. McFarron	John B. Thomas
B. L. Cox	Harry J. Meyers	J. Mack Thompson
J. S. Cruse	Claude D. Minor	Dr. D. J. Travis
P. A. Day	John T. Murphy	C. B. Truesdell
Dr. T. H. Gamblin	Estill W. Neel	John L. Trumbo
Dr. W. L. Gossett	T. P. Oliver	F. C. VanHoose
A. F. Hanberry	S. C. Ray	Daniel Vose
Dr. W. L. Haynes	J. L. Richardson	A. M. Wash
Talbert Holliday	Sherman Robbins	J. S. Webb
D. J. Howard	B. A. Roth	Gladstone Wesley
Adam W. Huff	Dr. Lewis Ryans	V. M. Williamson
Robt. Humphreys	Chas. R. Scott	W. N. Winn
J. W. Johnson	W. P. Scott	Dr. W. S. Yazell
Griffin Kelly	S. G. Smith	—59

Those who voted in the negative were:

H. C. Duffy	Chas. A. Nelson	Lee Rogers
W. L. Kimbrough	B. F. Reynolds	W. G. Wheeler
		—6

So said resolution was adopted.

Dr. Haynes moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Mason moved to take up for immediate consideration House Bill No. 390.

Said motion was disagreed to.

Mr. Cooper moved to call up from the Rules Committee House Bill No. 63 and that said bill be read the first time and placed in the calendar.

Said motion was agreed to.

Mr. Cooper moved to call from the hands of the Rules Committee House Bill No. 65, and that same be given its first reading and placed in the calendar.

Said motion was agreed to.

Then House Bill No. 63, entitled, An Act to require fiscal courts to provide for payment of attorneys who are appointed by judges of courts throughout the Commonwealth of Kentucky to defend indigent prisoners.

House Bill No. 65, entitled: An Act to enlarge the duties of quarterly courts and relieve congested circuit courts,

Were read at length the first time and ordered to be placed in the calendar.

The following bills and resolutions, passed by the House, were sent to the Senate:

House Bills Nos. 294, 277, 78.

Senate Bills Nos. 11, 170, and 153.

House Resolution No. 44.

Senate Resolution No. 27.

Mr. Cruse, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz:

An Act to amend Section 762 Kentucky Statutes, Carroll's Edition, 1918, relating to compensation to attorneys and agents of department and State Treasurer.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky.

That Section 762 of Kentucky Statutes, Carroll's Edition, 1918, be amended by striking therefrom the words "six hundred" and substituting therefor the words "eighteen hundred," so that when said section is amended it shall read as follows:

Compensation to Attorneys and Agents of Department and State Treasurer. The Governor may allow such reasonable compensation to attorneys or agents of the Insurance Department, for services rendered and for expenses incurred in enforcing the laws relating to insurance companies, as he may deem proper;

Provided, That in all cases tried by any court of competent jurisdiction such compensation shall be adjudged by the court;

And Provided Further, There shall be annually paid to the Treasurer from the fund out of which the Insurance Commission is paid, the sum of eighteen hundred dollars for the services to be rendered by him under and pursuant to the provision of this chapter.

Ordered, that said bill be read the third time.

Mr. Cruse moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

L. H. Ballard	Adam W. Huff	Chas. R. Scott
H. H. Barnes	R. O. Huntsman	W. P. Scott
W. T. Beckham	Griffin Kelly	E. E. Shannon
J. M. Billiter	W. L. Kimbrough	H. G. Skiles
Rodney G. Bryson	Hebron Lawrence	R. Lee Stewart
Roy J. Cain	Rev. J. A. Lee	John T. E. Stites
W. T. Carner	I. S. Mason	T. R. Stultz
J. F. Carr	R. L. McFarron	J. Mack Thompson
A. S. Cooper	H. C. McLellan	Dr. D. J. Travis
B. L. Cox	Harry J. Meyers	C. B. Truesdell
J. S. Cruse	John T. Murphy	John L. Trumbo
P. A. Day	Estill W. Neel	F. C. VanHoose
H. N. Dean	T. P. Oliver	Daniel Vose
B. J. Geohringer	T. C. Pryse	G. C. Waggoner
A. L. Hamilton	B. F. Reynolds	A. M. Wash
A. F. Hanberry	J. L. Richardson	J. S. Webb
Dr. W. L. Haynes	Sherman Robbins	Dr. T. R. Welch
Talbert Holliday	B. A. Roth	W. N. Winn
D. J. Howard	Dr. Lewis Ryans	Dr. W. S. Yazell

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Those who voted in the negative were:

Lon Adams	J. W. Johnson	Lee Rogers
S. M. Bennett	Frank Kennard	S. G. Smith
W. M. Boling	Dr. S. D. Laughlin	Frank L. Strange
H. C. Duffy	A. J. McCandless	John W. Swope
Dr. W. L. Gossett	Claude D. Minor	W. G. Wheeler
E. C. Hardin	Chas. A. Nelson	—17

Resolved that the title thereof be as aforesaid.

Mr. Cruse moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Cruse, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz:

House Bill 407. An Act to amend and re-enact Section 2931 of the Kentucky Statutes, relating to salary of Deputy Clerks of City Courts in cities of the first class.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2931 of the Kentucky Statutes, Carroll's Edition of 1915, be amended by striking out the word "twelve" and substituting therefor the word "fifteen," so that said section as amended is re-enacted to read as follows:

Sec. 2931. Salary—Appointment of Deputies.—He shall receive no fees whatever, but he shall be paid a salary of thirty-five hundred dollars per annum, and may appoint two deputies who shall be paid a salary of fifteen hundred dollars per annum for each deputy. The salaries of the clerk and his deputies shall be paid at the time and in the same manner as the salaries of other city officers are paid.

An emergency is hereby declared to exist, and this Act shall take effect from and after its passage and approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Cruse moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	R. O. Huntsman	W. P. Scott
H. H. Barnes	J. W. Johnson	Dr. B. F. Shields
W. T. Beckham	Henry Kaufman	H. G. Skiles
S. M. Bennett	Hebron Lawrence	S. G. Smith
J. M. Billiter	Joseph Lazarus	H. A. Spillman
Rodney G. Bryson	Rev. J. A. Lee	R. Lee Stewart
Roy J. Cain	Elmer Lusby	John T. E. Stites
J. F. Carr	I. S. Mason	Frank L. Strange
T. L. Caudel	R. L. McFarron	John W. Swope
Charles M. Clarke	H. C. McLellan	Dr. D. J. Travis
A. S. Cooper	Claude D. Minor	John L. Trumbo
B. L. Cox	John T. Murphy	F. C. VanHoose
J. S. Cruse	Chas. A. Nelson	Daniel Vose
P. A. Day	T. P. Oliver	G. C. Waggoner
H. N. Dean	T. C. Pryse	A. M. Wash
H. C. Duffy	B. F. Reynolds	J. S. Webb
B. J. Geohringer	J. L. Richardson	Dr. T. R. Welch

J. W. Geveden	Sherman Robbins	Gladstone Wesley
A. F. Hanberry	Lee Rogers	V. M. Williamson
E. C. Hardin	B. A. Roth	W. N. Winn
Dr. W. L. Haynes	Dr. Lewis Ryans	Dr. W. S. Yazell
Adam W. Huff	Chas. R. Scott	—65

Those who voted in the negative were:

Frank Kennard	J. M. Knott	A. J. McCandless
		—3

Resolved that the title thereof be as aforesaid.

Mr. Cruse moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Cruse, of the Committee on Rules, called up House Bill No. 6.

Then the House took up for consideration, from the Orders of the Day a bill entitled:

House Bill No. 6.—An Act relating to the exhibiting of moving picture films, providing for the examination, approval and licensing of moving picture films and the operators of moving picture machines and providing penalties for violation of this act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby created the "State Board of Censors and Examiners" to be composed of five members.

§ 1. Divisions.—Said board shall consist of two divisions, one to be known as the Division of Censors, composed of

three members, and one division to be known as the Division of Examiners, composed of two members.

§ 2. Qualification and Appointment.—The Division of Censors shall be appointed by the Governor for a term of four years, one of whom shall be selected from a list of three names submitted by the Kentucky Association of Motion Picture Exhibitors one from a list of three names submitted by the Kentucky Federation of Women's Clubs, one from a list of three names submitted by the Superintendent of Public Instruction who shall be a graduate of some recognized university.

The Division of Examiners shall be appointed by the Governor for a term of four years one of whom shall be selected from a list of three names submitted by the Federation of Motion Picture Operators and who shall be an experienced motion picture machine operator and electrician, and one member from a list of three names submitted by the State Board of Fire Underwriters and not more than two members of said board shall belong to the same political party.

§ 3. Salary.—Members of said Division of Censors shall each receive the sum of one thousand ($1,000) dollars annually, and the members of said Division of Examiners shall each receive the sum of fifteen hundred ($1,500) dollars annually.

§ 4. Secretary—The said board at its first meeting after the members are appointed shall elect a secretary for a term of one year, whose salary shall be fixed by the board and said secretary shall appoint, subject to the approval of the board, all clerical help, stenographers and inspectors that may be required. Such appointees may be removed or discharged at the will of the secretary, and said secretary shall perform such duties as the board may direct. The office of said secretary shall be located in the city of Louisville, Kentucky.

§ 5. Duties of Censors.—It shall be the duty of the Division of Censors to examine and censor, as herein provided, all motion picture films to be publicly exhibited and displayed in the Commonwealth of Kentucky. Such films shall be submitted to the Board of Censors and Examiners, Division of Censors, before they shall be delivered to the exhibitors. Only

such films as are in the judgment and discretion of the Division of Censors of a moral, educational or amusing or harmless character, shall be passed and approved. Such films passed and approved shall be stamped or designated in an appropriate manner and consecutively numbered before any motion picture film shall be exhibited and there shall be projected upon the screen the words, "Approved by the State Board of Censors and Examiners of Kentucky" and the consecutive number of such film. Such approval and certificate shall be made for and to each reel of film and any person, firm, association or corporation who shall exhibit or offer to exhibit or loan for exhibition purposes or cause to be exhibited any motion picture film in the State of Kentucky without the approval and certificate of the Division of Censors of said board, shall be guilty of a misdemeanor and be punished by a fine of not less than fifty dollars nor more than five hundred dollars and imprisoned for not less than thirty days nor more than one year.

§ 6. Appeal.—Any person being dissatisfied with any order of the Division of Censors of said board approving or rejecting any motion picture films, shall have the right to appeal to the circuit court and from thence to the Court of Appeals as in civil cases; provided, however, that in such case such motion picture film shall not be exhibited until such appeal is determined or dismissed, such appeals to the circuit court and Court of Appeals to be expedited as appeals in election cases.

§ 7. Time.—Ninety days after this act shall take effect no motion picture film shall be publicly shown or exhibited within this State unless such motion picture film has been passed and approved and stamped and numbered as herein provided and from and after one year after this act shall take effect no motion picture film shall be exhibited except non-inflammable or fire proofed motion picture films and no motion picture film thereafter shall be approved by the Division of Censors of said board unless said film shall be non-inflammable or fire proofed.

§ 8. Fees.—Before any motion picture film is examined by said Division of Censors of said board, there shall be paid to

the secretary of said board the sum of one dollar for each reel containing one thousand lineal feet and for each split reel there shall be paid the sum of one dollar and twenty-five cents.

§ 9. Division of Examiners—Duties.—All persons who at the time this act becomes effective who are engaged in the business of a moving picture machine operator in the State of Kentucky, shall within sixty days after the approval of this act, comply with its provisions. Any such person who desires to engage or continue in said business of moving picture machine operator after this act becomes effective shall apply to the State Board of Censors and Examiners, Division of Examiners, for a license and submit to an examination as to his or her qualifications before said Division of Examiners and if the said Division of Examiners of said board shall find, after due examination, that the said applicant for license possesses a reasonable knowledge of the motion picture machine operating business and electricity, then said board shall, upon the payment of the fees hereinafter provided for, issue to the applicant a license for a term of not more than one year, and the secretary of said board shall keep a record of all licenses so issued and no person shall be granted a license who has not reached the age of twenty-one years and makes oath to such fact and has served at least one year with an experienced operator in such business, and no person granted a license under the provisions of this act shall operate a motion picture machine or electrical projecting apparatus after the expiration of said license or after said license shall have been suspended or revoked as hereinafter provided.

Said Division of Examiners shall have the power and right to suspend or revoke the license of any operator who is negligent in the operation of his machine or who operates it in a manner dangerous to the safety of life or property after a hearing by said Division of Examiners; that at such hearing the party charged may be present in person or by counsel and make any defense he may have.

§ 10. Fees.—For each license or renewal thereof issued by the Division of Examiners there shall be paid to the secretary of the State Board the sum of five dollars per annum.

§ 11. Definitions.—From and after sixty days from the time this act becomes effective every motion picture machine shall before being operated be installed in a room, compartment or booth consisting entirely of fire resistive material. Said room, compartment or booth shall be ventilated to the outside air and all openings in the same shall be equipped with an automatic device designed to promptly close all of said openings with fire resistive doors in case of fire within said room, compartment or booth. Said fire resistive materials shall include brick, tile, concrete, metal or hard asbestos board or asbestos building lumber. Where the room, compartment or booth is composed or metal or hard asbestos board, it shall be constructed and equipped as follows:

Framing: Shall not be less than one inch by one and one-half inch, made of angle iron, properly placed and securely riveted or bolted.

Size: Shall be at least six feet high, six feet long and five feet wide when one machine is used therein, and six feet high, six feet long and eight feet wide when more than one machine is used.

Sheatings: Shall be of metal not less than No. 20 Brown & Sharpe gauge, or quarter inch asbestos board, securely riveted or bolted to angle iron frame.

Floor: Same as above but covered with rubber or cork matting.

Door: Same construction as booth, to close automatically either by spring or metal rope and weight, to overlap at least three inches around the opening, two latches of steel twelve inches from the top and bottom thereof, so placed as to prevent buckling, opening thereof to be not larger than five feet high and two feet wide.

Openings: Gravity door at least one-fourth inch boiler plate to close openings, to be held in position by fusible links placed in series with fine cord so arranged that normally one of the links is suspended directly over the film or magazine when inside of the apparatus.

Shelf: Of steel No. 20 Brown & Sharpe gauge, no material of any sort of a combustible nature shall be permitted within the booth except the films being exhibited.

Ventilation: Booth shall have an opening not less than ten inches in diameter, which shall be flanged to carry a standard conducting pipe for exhausting the hot air, generated in operating the machine, connecting with chimney or outside air. Pipe riveted together and outer end arranged so that escaping gases or flames will not come in contact with combustible materials.

Machines: Shall be equipped with feed and take up reels in metal receiving boxes. All joints shall be riveted or flanged and shutters shall be placed in front of the condensers of each machine.

Arc: The arc lamp used shall be constructed entirely of metal except where the use of approved insulating material is necessary and shall be so designed as to prevent sparks being emitted when in operation. Mica shall be used for frame insulation with self-closing doors, side and rear, observation ports not larger than two inches in diameter, covered with Mica or plate glass, shall be controlled by double pole switch and cut out within easy reach of the operator. Conductors shall not be less than No. 6 Brown & Sharpe gauge stranded between lamp and permanent wiring and provided with approved lugs. Asbestos insulation inside the lamp and all passages for wires through lamp must be in porcelain bushings. The resistance box must be kept not less than one foot from any combustible material and separated by a slab of stone or marble to balance the machine. Stand of metal, and no light shall be used except electric, and no machine shall be operated except by hand power.

§ 12. Inspectors.—Any inspector so designated by the secretary of the board shall have the right to enter any premises wherein or whereon any motion picture film is exhibited or offered to be exhibited to the general public and shall have the right forthwith to confiscate any film being exhibited or offered for exhibition whch has not been stamped and approved by the Division of Censors of said board.

§ 13. Penalty.—Any person, firm, association, partnership or corporation who shall violate any of the provisions of this act, where the penalty is not otherwise provided, shall be guilty of a misdemeanor and punished by a fine of not less

than fifty dollars nor more than five hundred dollars and imprisoned for not less than thirty days nor more than one year.

By the term "motion picture machine" is meant any machine or device operated by or with the aid of electricity adapted and used to project upon the screen or other surface pictorial representations of any character to which the public is admitted to view upon payment of admission.

It shall be the duty of every motion picture machine operator to display upon the screen before the exhibition of any reel of motion picture film approved by said Division of Censors a slide which shall contain the following words: "Motion picture machine operator licensed by State Board of Censors and Examiners of the State of Kentucky. License No....." Provided, there shall be a sufficient compliance with this section for said operators to exhibit said slide at least twice in the afternoon and evening.

Mr. Pryse offered the following amendment by way of substitute for said bill:

An Act relating to the exhibiting of moving picture films, providing for the examination, approval and licensing of moving picture films and fixing the license fees therefor, and providing penalties for violation of this act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. There is hereby created the "State Board of Censors" to be composed of three members.

2. Qualification and Appointment. The Censors shall be appointed by the Governor for a term of four years, one of whom shall be selected from a list of three names submitted by the Kentucky Association of Motion Picture Exhibitors, one from a list of three names submitted by the Kentucky Federation of Women's Clubs, one from a list of three names submitted by the Superintendent of Public Instruction.

3. Salary. Members of said Board of Censors shall each receive the sum of one thousand ($1,000.00) dollars annually.

4. Secretary. The said board at its first meeting after the members are appointed shall elect a secretary for a term of one year, whose salary shall be fixed by the board and said secretary shall appoint, subject to the approval of the Board, all clerical help, stenographers and inspectors that may be required. Such appointees may be removed or discharged at the will of the secretary, and said secretary shall perform such duties as the board may direct. The office of said secretary shall be located in the city of Louisville, Kentucky.

5. Duties of Censors. It shall be the duty of the Censors to examine and censor, as herein provided, all motion picture films to be publicly exhibited and displayed in the Commonwealth of Kentucky. Such films shall be submitted to the Board of Censors before they shall be delivered to the exhibitors. Only such films as are in the judgement and discretion of the Board of Censors of a moral, educational, or amusing or harmless character, shall be passed and approved. Such films passed and approved shall be stamped or designated in an appropriate manner and consecutively numbered before any motion picture film shall be exhibited and there shall be projected upon the screen the words, "Approved by the State Board of Censors of Kentucky" and the consecutive number of such film. Such approval and certificate shall be made for and to each reel of film and any person, firm, association or corporation who shall exhibit or offer to exhibit or loan for exhibiton purposes or cause to be exhibited any motion picture film in the State of Kentucky without the approval and certificate of the Board of Censors shall be guilty of a misdemeanor and be punished by a fine of not less than fifty dollars nor more than five hundred dollars or imprisoned for not less than thirty days nor more than one year. The Board of Censors shall provide suitable office rooms and sufficient equipment to properly carry out the provisions of this act.

6. Appeal. Any person being dissatisfied with any order of the Board of Censors approving or rejecting any motion picture films, shall have the right to appeal to the circuit court and from thence to the Court of Appeals as in civil cases; provided, however, that in such cases such motion picture film shall not be exhibited until such appeal is determined

or dismissed, such appeals to the circuit court and Court of Appeals to be expedited as appeals in election cases.

7. Time. Ninety days after this act shall take effect no motion picture film shall be publicly shown or exhibited within this State unless such motion picture film has been passed and approved and stamped and numbered as herein provided.

8. Fees. Before any motion picture film is examined by said Censors, there shall be paid to the secretary of said board the sum of one dollar for each reel containing one thousand lineal feet and for each split reel there shall be paid the sum of one dollar and twenty-five cents.

9. Inspectors. Any inspector so designated by the secretary of the board shall have the right to enter any premises wherein or whereon any motion picture film is exhibited or offered to be exhibited to the general public and shall have the right forthwith to confiscate any film being exhibited or offered for exhibition which has not been stamped and approved by the Censors of said board.

10. Penalty. Any person, firm, association, partnership or corporation who shall violate any of the provisions of this act, where the penalty is not otherwise provided, shall be guilty of a misdemeanor and punished by a fine of not less than fifty dollars nor more than five hundred dollars or imprisoned for not less than thirty days nor more than one year. By term "motion picture machine" is meant any machine or device operated by or with the aid of electricity or other illuminants adapted and used to project upon the screen or other surfaces, pictorial representations of any character to which the public is admitted to view upon payment of an admission fee.

11. Any surplus remaining of the fund created by the collection of the license fees herein provided for, after paying the expenses provided for in this act for any fiscal year, shall, at the end of the fiscal year, be paid into the general expenditure fund of the State," and the Board of Censors shall be limited in its expenditure to the license fees collected under the provisions of this act, and no charge shall be made by this Board against the Commonwealth of Kentucky.

12. This act shall not apply to lodges, churches, schools, traveling lecturers, university extension lecturers, public welfare workers and the like, but only to such places as are run regularly for profit and where a regular admission fee is charged the general public.

Mr. Bryson offered the following amendment to the substitute:

This act shall not apply to counties having cities of the second class.

Said amendment was disagreed to.

Mr. Lazarus offered the following amendment to the substitute:

Amend House Bill No. 6 by adding words: "Provided this act shall not apply to counties containing cities of the first class."

Said amendment was disagreed to.

Mr. Humphreys moved that the bill do lie on the table.

Upon motion of Mr. Humphreys and Mr. Pryse the yeas and nays were taken on said motion to table and resulted as follows:

Those who voted in the affirmative were:

Sidney Alfrey	Dr. W. L. Gossett	Estill W. Neel
S. M. Bennett	A. F. Hanberry	T. P. Oliver
Rodney G. Bryson	Dr. W. L. Haynes	Lee Rogers
B. L. Cox	Talbert Holliday	B. A. Roth
J. S. Cruse	Robt. Humphreys	John W. Swope
J. B. Denues	J. W. Johnson	J. Mack Thompson
H. C. Duffy	Henry Kaufman	John L. Trumbo
J. M. Foster	Joseph Lazarus	J. S. Webb

Dr. T. H. Gamblin	Elmer Lusby	V. M. Williamson
B. J. Geohringer	Harry J. Meyers	Dr. W. S. Yazell

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Those who voted in the negative were:

W. T. Beckham	Hebron Lawrence	H. G. Skiles
J. M. Billiter	Rev. J. A. Lee	S. G. Smith
W. M. Boling	R. C. Marcum	R. Lee Stewart
Roy J. Cain	R. L. McFarron	Wm. A. Stewart
W. T. Carner	H. C. McLellen	John T. E. Stites
J. F. Carr	Claude D. Minor	Frank L. Strange
T. L. Caudel	Chas. A. Nelson	T. R. Stultz
A. S. Cooper	T. C. Pryse	Dr. D. J. Travis
J. W. Geveden	B. F. Reynolds	C. B. Truesdell
A. L. Hamilton	J. L. Richardson	J. Wood Vance
E. C. Hardin	Sherman Robbins	Daniel Vose
D. J. Howard	Dr. Lewis Ryans	Geo. C. Waggoner
Griffin Kelly	Chas. R. Scott	A. M. Wash
Frank Kennard	W. P. Scott	Dr. T. R. Welch
J. M. Knott	E. E. Shannon	Gladstone Wesley
Dr. S. D. Laughlin	Dr. B. F. Shields	W. N. Winn

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So said motion to table said bill was lost.

Mr. Nelson offered the following amendment:

Amend House Bill No. 6 by adding after the word "required" in line 5 of Section 3 the following: "Provided, however, that the secretary shall not expend for clerical help more than $3,000, annually."

Said amendment was disagreed to.

Mr. Nelson offered the following amendment:

Amend House Bill No. 6 substitute, as printed, by adding after the word "required" in line 5 of Section 3 the following:

"Provided, however, that the total annual expense for said Board shall not exceed $8,000."

Said amendment was agreed to.

Then the substitute as amended was adopted.

Ordered that said bill be engrossed and read the third time.

Mr. Cruse moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by the substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz:

Those who voted in the affirmative were:

H. H. Barnes	J. M. Knott	Dr. B. F. Shields
W. T. Beckham	Dr. S. D. Laughlin	H. G. Skiles
S. M. Bennett	Hebron Lawrence	R. Lee Stewart
J. M. Billiter	Rev. J. A. Lee	Wm. A. Stewart
W. M. Boling	R. C. Marcum	John T. E. Stites
Roy J. Cain	A. J. McCandless	Frank L. Strange
W. T. Carner	R. L. McFarron	T. R. Stultz
J. F. Carr	H. C. McLellen	John W. Swope
T. L. Caudel	Claude D. Minor	John B. Thomas
A. S. Cooper	Chas. A. Nelson	Dr. D. J. Travis
J. B. Denues	T. C. Pryse	C. B. Truesdell
H. C. Duffy	S. C. Ray	J. Wood Vance
J. W. Geveden	B. F. Reynolds	Fred C. VanHoose

A. L. Hamilton	J. L. Richardson	Daniel Vose
A. F. Hanberry	Sherman Robbins	Geo. C. Waggoner
E. C. Hardin	Lee Rogers	A. M. Wash
Dr. W. L. Haynes	Dr. Lewis Ryans	Dr. T. R. Welch
D. J. Howard	Chas. R. Scott	Gladstone Wesley
Robt. Humphreys	W. P. Scott	W. G. Wheeler
Griffin Kelly	E. E. Shannon	W. N. Winn

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Those who voted in the negative were:

Sidney Alfrey	R. O. Huntsman	T. P. Oliver
Rodney G. Bryson	J. W. Johnson	B. A. Roth
Charles M. Ciarlo	Henry Kaufman	J. Mack Thompson
B. L. Cox	Frank Kennard	John L. Trumbo
J. S. Cruse	W. L. Kimbrough	J. S. Webb
B. J. Geohringer	Joseph Lazarus	V. M. Williamson
Talbert Holliday	I. S. Mason	
Adam W. Huff	Estill W. Neel	

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Resolved that the title thereof be as amended by the substitute.

Mr. Cruse moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said bill was sent to the Senate.

Mr. Vose moved that today's session be extended indefinitely.

Said motion was agreed to.

Mr. Vose moved that the House recess at 12:15 P. M. today until 1:30 P. M.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed Senate Resolution No. 28.

Said resolution is as follows:

A joint resolution of the General Assembly of the State of Kentucky to appropriate the sum of $518.62 out of the State Treasury, not otherwise appropriated, for the payment of the expenses incurred by the joint committee of the Senate and House of Representatives appointed to investigate the condition of the penal and charitable institutions of the State of Kentucky, under Joint Resolution No. 4 of the House and Senate.

Whereas it appears that the Joint Legislative Committee appointed to investigate the conditions of the Penal and Charitable Institutions of the State of Kentucky, under joint resolution No. 4, has incurred expenses in the sum of $518.62 in excess of the sum of $1,500.00 heretofore appropriated to pay the expenses of said committee. Now, therefore, be it resolved by the Senate and the House of Representatives that the Auditor is hereby directed to draw his warrant in favor of J. J. Bowman, Sergeant at Arms of the Senate, in the sum of $518.62, which shall be paid by the Treasurer out of any sums of money not otherwise appropriated to defray the unpaid expenses of said Legislative Committee.

Mr. Haynes moved to suspend the rules and take up said resolution for immediate consideration.

Said motion was agreed to.

The yeas and nays being taken on the passage of said resolution resulted as follows:

Those who voted in the affirmative were:

H. H. Barnes	Dr. W. L. Haynes	Sherman Robbins
L. H. Ballard	D. J. Howard	Lee Rogers
W. T. Beckham	Adam W. Huff	B. A. Roth

S. M. Bennett	Robt. Humphreys	Dr. Lewis Ryans
J. M. Billiter	R. O. Huntsman	Chas. R. Scott
W. M. Boling	Henry Kaufman	W. P. Scott
Roy J. Cain	Griffin Kelly	Dr. B. F. Shields
W. T. Carner	Frank Kennard	S. G. Smith
J. F. Carr	W. L. Kimbrough	Wm. A. Stewart
T. L. Caudel	J. M. Knott	Frank L. Strange
Charles M. Ciarlo	Dr. S. D. Laughlin	John W. Swope
A. S. Cooper	Hebron Lawrence	John B. Thomas
B. L. Cox	Elmer Lusby	J. Mack Thompson
J. S. Cruse	A. J. McCandless	John L. Trumbo
P. A. Day	R. L. McFarron	Daniel Vose
H. N. Dean	Harry J. Meyers	Geo. C. Waggoner
J. B. Denues	Claude D. Minor	A. M. Wash
Dr. T. H. Gamblin	John T. Murphy	J. S. Webb
B. J. Geohringer	Estill W. Neel	Dr. T. R. Welch
J. W. Geveden	Chas. A. Nelson	Gladstone Wesley
A. L. Hamilton	T. C. Pryse	W. G. Wheeler
A. F. Hanberry	B. F. Reynolds	W. N. Winn
E. C. Hardin	J. L. Richardson	Dr. W. S. Yazell

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So said resolution was adopted.

Mr. Haynes moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Said resolution was reported back to the Senate.

A message was received from the State announcing that it had passed the following Senate Bills:

Senate Bill No. 150, entitled: An Act defining mattresses; regulating the making, re-making and sale thereof; prohibiting the use of insanitary and unhealthy materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall

be labeled; providing for the enforcement of the provisions of this act; making certain acts criminal and punishing the same.

Senate Bill No. 138, entitled: An Act to amend and reenact Chapter CLXII of 1918 Acts of the Kentucky Legislature, which is an amendment to Section 4023 of the Kentucky Statutes, Carroll's Edition 1915, relating to revenue and taxation.

Senate Bill No. 356, entitled: An Act to amend and reenact Section 3 of an act of the 1918 session of the General Assembly of the Commonwealth of Kentucky, same being Chapter VII of the Acts of 1918, and entitled: "An Act to accept the conditions of an Act of Congress of the United States entitled "An Act to provide for the promotion of vocational education; to provide for co-operation with the states for the promotion of such education in agriculture and the trades and industries; to provide for the co-operation with the states in the preparing of teachers for vocational subjects; and to appropriate money and regulate its expenditure;" and to provide for the inspection of schools maintaining vocational courses and appropriating money to enable the Commonwealth of Kentucky to receive the benefits of the Act and to provide for the expense of supervision and inspection of such schools maintaining courses in accordance with the aforesaid Federal Act."

Senate Bill No. 246, entitled: An Act to amend Section 328 Kentucky Statutes, Carroll's Edition of 1915.

Senate Bill No. 323, entitled: An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto as to joint rates.

Senate Bill No. 148, entitled: An Act to amend Section 493 of the Civil Code of Practice.

Ordered that said bills be printed for the House and referred to the Committee on Rules.

Dr. Haynes produced and offered to file the minority report of the joint legislative committee to investigate the penal and charitable institutions of the State.

Ordered that said minority report be filed in the Chief Clerk's office.

By unanimous consent, Mr. Humphreys introduced the following bill:

House Bill No. 554, entitled: An Act relating to revenue and taxation; providing for assessment of property by Justices of the Peace.

Ordered that said bill be printed and referred to the Committee on Rules.

Then the House, at 12:15 P. M., took a recess until 1:30 P. M.

AFTERNOON SESSION.

FRIDAY, MARCH 12, 1920.

The House reconvened at 1:30 o'clock P. M.

Mr. Cruse, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 523. An Act to amend an Act entitled "An Act to provide for the nominations of candidates by political parties at primary elections, and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof" which Act became a law March 5, 1912, as the same was amended by Act of the Legislature approved March 23, 1914, so as to provide for nominations of judges of the Court of Appeals and Circuit Courts of the State of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sub-section 6 of Section 1 of the said Act (now known as Section 1550 of the Kentucky Statutes) being an "Act to provide for the nomination of candidates by political parties at primary elections and for placing the names of candidates on the ballots to be voted for at general elections and prescribing penalties for the violation thereof" which Act became a law March 5, 1912, as the same was amended by Act of the Legislature approved March 23, 1914 be and the same is amended by adding thereto the following:

Provided that the provisions of Section 6 of this Act (Kentucky Statutes Section 1550) shall not apply to candidates for Judges of the Court of Appeals and for Judges of the Circuit Court.

For such judicial positions any eligible person may become or be proposed as a candidate for nomination and by any and every political party having a ticket to be voted for in the district for which the said office is to be filled, but said persons shall not be required to seek the said nomination or nominations nor to make a declaration of party loyalty or support, and as a requirement for such nomination shall not be required to have registered as affiliated with any political party or parties or to have registered at all as a voter.

Such nomination or nominations may be proposed by or for such eligible candidate either by resolution of the proper committee or a political party or by the qualified voters of any political party whose nomination is sought where the bona fide signatures of such petition equal in number ten per cent of the vote cast at the last preceding election for the leading candidate of said political party in the district for which said candidates desired to be or is proposed as a party nominee.

The name of the successful candidates in the primary for nomination or nominations for such judicial offices shall appear on the ballot at the regular election under the device of

as many political parties as may have nominated such candidate. He may appear thereon by petition of voters, or otherwise as may be required by law, and at such election shall be entitled to the total of the votes which he receives on such ballot or ballots as aforesaid.

Before any successful candidates for such judicial nomination or nominations shall be given his certificate or certificates of nomination, he shall file with the Clerk of the County Court, in which he resides, a statement that during the campaign for the said nomination or nominations he did not, and while a candidate for the said office will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this State, and if elected will qualify for said office, and that the said sections be re-enacted as amended, and when so amended and re-enacted shall read as follows:

§ 1550. (6) Notification and Declaration—Affidavits, How Prepared and Filed. Any qualified elector who is a member of a party within the meaning of this Act, and who has affiliated with and supported the nominees of the party at whose hands he seeks the nomination as defined elsewhere in this Act, shall have his name printed on the official ballot of his party for any office to which he is eligible in any primary held under the provisions of this Act, upon filing with the proper officer at the proper time, a notification and declaration, which notification and declaration shall be in the following form, and shall be filled in as to all the requirements therein contained, and the declaration therein shall be subscribed and sworn to by the person making same, before any officer qualified to administer an oath.

Said notification and declaration shall be in the following form:

Notification and declaration of..... for nomination to the office of ..... To .... (County Court Clerk or Secretary of State, as the case may be.) Commonwealth of Kentucky..... County. For the purpose of having my name placed on the

official primary election ballot as a candidate for nomination by the ..... (name of party) party, I ..... (name in full as desired on the ballot) do solemnly swear (or affirm) that I reside at No. .... Street, in the city of ....., county of ....., State of Kentucky, and that I am a registered ..... (party) voter in ..... precinct, city of ....., that I believe in the principles of said ..... (name of party) party, and intend to support its principles and policies, and vote for its nominees at the coming general election, and that I have affiliated with such party and that I supported its nominees at the last general election, or was prevented from doing so by reason of ..... (state reason here); that if nominated as a candidate of said ..... party at the said ensuing election, I will accept such nomination and not withdraw; that I will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this State, and if finally elected, I will qualify for said office.

..... (Signature of candidate).

Subscribed and sworn to before me by .....

this ..... day of ....., 19.....

..... (Signature of officer).

..... (Title of officer).

The said candidate shall at the time of filing his notification and declaration file therewith an affidavit of two reputable electors, members of the same party to which the applicant belongs, which affidavit shall be in the following form, and filled out so as to meet all the requirements indicated therein:

Commonwealth of Kentucky, ...County.

We, ... and ..... do solemnly swear (or affirm) that we are qualified electors and members of the ..... (name of party) party and have affiliated with said party, and supported its nominees at the last general election; that we are residents and legal voters of the city of ..... County of ....., State of Kentucky; and that we are personally acquainted

with ....., who files the hereto attached notification and declaration, and we know him to be a discreet citizen, and a member of the ..... party, and that to the best of our knowledge and belief, he has affiliated with and supported said party as defined in the primary election law; that he is a resident of the city, county and State set out in his notification and declaration, and we believe him qualified to fill the office of .....

.....

.....

(Signature of affiants.)

Subscribed and sworn to before me by..... and ..... this ..... day of .....19...

.....

(Signature of officer.)

.....

(Title of officer.)

Said application and declaration, and the accompanying affidavits may be on the same or separate sheets, but shall be filed together and at the same time, and when so filed with the proper officer, it shall be the duty of said officer, upon the candidate's compliance with the requirements of this Act as to payment of fees as elsewhere provided, to have printed the applicant's name on the ballot according to the primary election law, under the penalties provided therein.

Provided, that the provisions of Section 6 of this Act (Kentucky Statutes, Section 1550), shall not apply to candidates for Judge of the Court of Appeals and for Judges of the Circuit Court.

For such judicial positions any eligible person may become or be proposed as a candidate for nomination by any and every political party having a ticket to be voted for in the district for which the said office is to be filled, but said persons shall not be required to seek the said nomination or nominations nor to make a declaration of party loyalty or support, and as a requirement for such nomination shall not be required to have registered as affiliated with any political party or parties, or to have registered at all as a voter.

Such nomination or nominations may be proposed by or for such eligible candidate either by resolution of the proper committee of a political party or by the qualified voters of any political party whose nomination is sought where the bona fide signatures of such petition equal in number ten per cent of the vote cast at the last preceding election for the leading candidate of said political party in the district for which said candidates desired to be or are proposed as a party nominee.

The name of the successful candidates in the primary for nomination or nominations for such judicial offices shall appear on the ballot at the regular election under the device of as many political parties as may have nominated such candidate. He may appear thereon by petition of voters, or otherwise as may be required by law, and at such election shall be entitled to the total of the votes which he receives on such ballot or ballots as aforesaid.

Before any successful candidates for such judicial nomination or nominations shall be given his certificate or certificates of nomination, he shall file with the Clerk of the County Court, in which he resides, a statement that during the campaign for the said nomination or nominations he did not, and while a candidate for the said office will not knowingly violate any election law or any law defining or relating to corrupt and fraudulent practice in campaigns or elections in this State, and if elected will qualify for said office.

Mr. McLellen offered the following amendment, viz.:

Strike out lines 20 to 27 and lines 129 to 136, inclusive, and substitute therefor the following: Such nomination or nominations may be proposed for such eligible candidate either by resolution of the proper committee, or by the application of two reputable electors, of any political party whose nomination is sought. Such resolution or application shall be filed with the proper officer at the proper time, as provided by law for other nomination papers. The name of no candidate shall be placed upon the ballot if, before the preparation of the ballots, such proposed candidate shall file with the

officer with whom the nomination papers were filed, an objection thereto in writing, signed and sworn to by such proposed candidate.

Said amendment was agreed to.

Mr. McLellen offered the following amendment, viz.:

Amend House Bill 523 by adding after line 129 the attached and by striking out lines 129 to 136.

Said amendment was adopted.

Mr. Holliday offered the following amendment, viz.:

Amend House Bill 523. New Section—Provided that nothing in this law shall prevent any party from offering a candidate for election under such party's device if the governing authorities of such party in the district affected so order.

Said amendment was agreed to.

Mr. Lazarus moved that the House resolve itself into a Committee of the Whole House for the purpose of hearing Judge Willis, of Ashland, Kentucky, explain the bill.

Said motion was agreed to.

The Speaker called Mr. Caudel to preside over the Committee of the Whole.

Judge Willis addressed the Committee in regard to House Bill No. 523.

Mr. Bryson moved that the Committee rise and report progress.

Said motion was agreed to.

Then the Committee arose and the Chairman reported that Judge Willis had been heard on the bill but that the Committee had come to no resolution thereon.

Speaker Bosworth then resumed the chair.

Ordered, that said bill be engrossed and read the third time.

Mr. Cruse moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	A. R. Hudson	Lee Rogers
L. H. Ballard	Adam W. Huff	B. A. Roth
H. H. Barnes	R. O. Huntsman	Dr. Lewis Ryans
S. M. Bennett	Henry Kaufman	E. E. Shannon
J. M. Billiter	W. L. Kimbrough	S. G. Smith
Rodney G. Bryson	Hebron Lawrence	R. Lee Stewart
Roy J. Cain	Joseph Lazarus	Wm. A. Stewart
W. T. Carner	R. C. Marcum	T. R. Stultz
J. F. Carr	I. S. Mason	C. B. Truesdell
Charles M. Ciarlo	A. J. McCandless	John L. Trumbo
H. N. Dean	R. L. McFarron	Daniel Vose
J. B. Denues	H. C. McLellen	A. M. Wash
J. M. Foster	Mack J. Morgan	J. S. Webb

Dr. T. H. Gamblin	Estill W. Neel	Gladstone Wesley
B. J. Geohringer	T. C. Pryse	R. E. Wilborn
A. F. Hanberry	S. C. Ray	V. M. Williamson
Talbert Holliday	Sherman Robbins	Dr. W. S. Yazell

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Those who voted in the negative were:

Lon Adams	Griffin Kelly	H. A. Spillman
W. T. Beckham	Frank Kennard	John T. E. Stites
W. M. Boling	J. M. Knott	Frank L. Strange
T. L. Caudel	Dr. S. D. Laughlin	John W. Swope
B. L. Cox	Elmer Lusby	John B. Thomas
J. S. Cruse	Harry J. Meyers	J. Mack Thompson
P. A. Day	Claude D. Minor	J. H. Thompson
H. C. Duffy	John T. Murphy	Dr. D. J. Travis
J. W. Geveden	Chas. A. Nelson	J. Wood Vance
Dr. W. L. Gossett	T. P. Oliver	Fred C. VanHoose
A. L. Hamilton	B. F. Reynolds	G. C. Waggoner
E. C. Hardin	J. L. Richardson	Dr. T. R. Welch
Dr. W. L. Haynes	Chas. R. Scott	W. G. Wheeler
D. J. Howard	W. P. Scott	W. N. Winn
Robt. Humphreys	Dr. B. F. Shields	
J. W. Johnson	H. G. Skiles	

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Resolved, That the title thereof be as aforesaid.

Mr. Cruse moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The following bills and joint resolutions were sent to the Senate:

House Bills Nos. 520, 407 and House Resolution No. 43.

Mr. Cruse, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 533. An Act relating to revenue and taxation; fixing the annual tax rate on unmanufactured agricultural products, subject to taxation, other than unmanufactured agricultural products actually on hand at the plants of manufacturing concerns for the purpose of manufacture; fixing the date of assessment; prescribing by whom the tax shall be paid; exempting unmanufactured agricultural products from local ad valorem taxation; providing for the distribution of the fund derived from such taxation; providing for the assessment, equalization and collection of the tax.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an annual ad valorem tax of sixty cents on each one hundred dollars of the fair cash value of all unmanufactured agricultural products, subject to taxation, other than unmanufactured agricultural products actually on hand at the plants of manufacturing concerns, for the purpose of manufacture, shall be paid by the owner, person or corporation assessed, which tax shall be for State purposes only, and in lieu of all other ad valorem taxes by the State, or any county, city, town or other taxing district, on such unmanufactured agricultural products. Unmanufactured agricultural products in the hands of a producer shall not be subject to this tax for the year in which same were grown.

§ 2. All taxes collected hereunder shall be paid into the State Treasury to the credit of the general expenditure fund.

§ 3. The assessment, the date thereof, the equalization and the collection of the tax herein imposed shall be governed by the laws applicable to other tangible personal property.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Lawrence moved that the House resolve itself into a Committee of the Whole House for the purpose of hearing W. A. Davis, of Todd County, Kentucky, discuss the bill.

Said motion was agreed to.

The Speaker called Mr. Kimbrough to preside over the Committee of the Whole.

The Committee heard Mr. Davis discuss the bill under consideration.

At the close of Mr. Davis' speech, Mr. Humphreys moved that the Committee of the Whole arise and report progress.

Said motion was agreed to.

Then the Committee of the Whole arose and the Chairman reported that the Committee had heard Mr. Davis discuss the bill but had come to no resolution thereon.

Speaker Bosworth resumed the chair.

Mr. Kelly moved that the bill do lie on the table.

Then by unanimous consent this motion was withdrawn.

Mr. Lawrence moved the previous question.

The Speaker stated: "Shall the main question now be ordered?"

The question was decided in the negative.

Mr. Kelly again moved that the bill do lie on the table.

Messrs. Williamson and Murphy demanded a roll call on the motion to table.

The yeas and nays being taken on said motion were as follows, viz.:

Those who voted in the affirmative were:

Lon Adams	J. W. Johnson	Dr. B. F. Shields
H. H. Barnes	Griffin Kelly	H. G. Skiles
W. M. Boling	Frank Kennard	H. A. Spillman
T. L. Caudel	J. M. Knott	Frank L. Strange
B. L. Cox	Dr. S. D. Laughlin	John W. Swope
J. S. Cruse	Elmer Lusby	J. Mack Thompson
H. C. Duffy	Harry J. Meyers	J. H. Thompson
A. L. Hamilton	John T. Murphy	Geo. C. Waggoner
E. C. Hardin	Chas. A. Nelson	Dr. T. R. Welch
Dr. W. L. Haynes	B. F. Reynolds	W. G. Wheeler
D. J. Howard	Chas. R. Scott	W. N. Winn
Robt. Humphreys	W. P. Scott	—35

Those who voted in the negative were:

Sidney Alfrey	R. O. Huntsman	E. E. Shannon
J. M. Billiter	Henry Kaufman	S. G. Smith
Rodney G. Bryson	W. L. Kimbrough	R. Lee Stewart
Roy J. Cain	Joseph Lazarus	Wm. A. Stewart
W. T. Carner	R. C. Marcum	John T. E. Stites
J. F. Carr	I. S. Mason	T. R. Stultz
Charles M. Ciarlo	A. J. McCandless	C. B. Truesdell
A. S. Cooper	R. L. McFarron	John L. Trumbo
P. A. Day	H. C. McLellen	J. Wood Vance
H. N. Dean	Mack J. Morgan	Fred C. VanHoose
J. M. Foster	Estill W. Neel	Daniel Vose
Dr. T. H. Gamblin	T. P. Oliver	A. M. Wash
B. J. Geohringer	T. C. Pryse	J. S. Webb
A. F. Hanberry	J. L. Richardson	Gladstone Wesley
Talbert Holliday	Sherman Robbins	R. E. Wilborn
A. R. Hudson	Lee Rogers	V. M. Williamson
Adam W. Huff	B. A. Roth	—50

So the motion was lost.

Ordered, that said bill be read the third time.

Mr. Cruse moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	S. G. Smith
J. M. Billiter	W. L. Kimbrough	R. Lee Stewart
Rodney G. Bryson	Joseph Lazarus	Wm. A. Stewart
Roy J. Cain	R. C. Marcum	John T. E. Stites
W. T. Carner	I. S. Mason	T. R. Stultz
J. F. Carr	A. J. McCandless	C. B. Truesdell
Charles M. Ciarlo	R. L. McFarron	John L. Trumbo
P. A. Day	H. C. McLellen	J. Wood Vance
H. N. Dean	Mack J. Morgan	Fred C. VanHoose
J. M. Foster	Estill W. Neel	Daniel Vose
Dr. T. H. Gamblin	T. P. Oliver	A. M. Wash
B. J. Geohringer	T. C. Pryse	J. S. Webb
A. F. Hanberry	J. L. Richardson	Gladstone Wesley
Talbert Holliday	Sherman Robbins	R. E. Wilborn
A. R. Hudson	Lee Rogers	V. M. Williamson
Adam W. Huff	B. A. Roth	—49
R. O. Huntsman	E. E. Shannon	

Those who voted in the negative were:

Lon Adams	Robt. Humphreys	Dr. B. F. Shields
H. H. Barnes	J. W. Johnson	H. G. Skiles
W. M. Boling	Griffin Kelly	H. A. Spillman
T. L. Caudel	Frank Kennard	Frank L. Strange

A. S. Cooper	J. M. Knott	John W. Swope
B. L. Cox	Dr. S. D. Laughlin	J. Mack Thompson
J. S. Cruse	Elmer Lusby	J. H. Thompson
H. C. Duffy	Harry J. Meyers	Geo. C. Waggoner
Dr. W. L. Gossett	John T. Murphy	Dr. T. R. Welch
A. L. Hamilton	Chas. A. Nelson	W. G. Wheeler
E. C. Hardin	B. F. Reynolds	W. N. Winn
Dr. W. L. Haynes	Chas. R. Scott	—37
D. J. Howard	W. P. Scott	

Resolved, That the title thereof be as aforesaid.

Mr. Cruse moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence, of the Committee on Rules, moved that the following bills be read the first time at length and placed in the calendar.

Said motion was agreed to.

Said bills are of the following titles:

Senate Bill No. 169, entitled: An Act giving to jewelers a lien on goods left with them for repair, and providing the method of sale thereof.

Senate Bill No. 323, entitled: An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission with reference thereto as to joint rates.

House Bill No. 356. An Act for the benefit of B. F. Welch, Arnold Beschal, and Thomas Rarden, of Jefferson County.

House Bill No. 277. An Act relating to the assessment of omitted intangible property with the county clerk and also the assessment of other property with the county clerk where such property has not been assessed by the County Tax Commissioner and prescribing his duties and methods of procedure.

House Bill No. 63. An Act to require Fiscal Courts to provide for payment of attorneys who are appointed by judges of courts throughout the Commonwealth of Kentucky to defend indigent persons.

House Bill No. 65. An Act to enlarge the duties of Quarterly Courts and relieve congested Circuit Courts.

Senate Bill No. 205. An Act to provide for the nonliability of common carriers of crude petroleum by pipe line, except in cases of such carrier disregarding an injunction; to provide for making all persons, firms, and corporations interested in the subject matter, parties to such litigation; and to fix the burden of proof necessary to sustain an injunction against transportation or delivery.

Senate Bill No. 148. An Act to amend Section 493 of the Civil Code of Practice.

Senate Bill No. 324. An Act to amend and re-enact Section 518, Civil Code of Practice, relating to the modification of judgment after term by court rendering it.

Said bills were severally read at length the first time and ordered to be placed in the calendar.

Mr. Ray, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bill of the following title, viz.:

Senate Bill No. 289. An Act providing for and authorizing an appeal in all proceedings now pending in the County

Courts of any county of this Commonwealth, or that may hereafter be brought for the purpose of ascertaining the value of any estate subject to the inheritance tax laws of the Commonwealth, or for the purpose of collecting the inheritance tax due by any estate.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

Mr. Lawrence, of the Committee on Rules, moved that the calendar be read and that said bills in the calendar be read the second time by their title only.

Said motion was agreed to.

Then the House took up for consideration from the calendar bills of the following titles:

House Bill No. 515, entitled: An Act to exempt domestic mutual and assessment and co-operative fire insurance companies from the provisions of any other Act passed at the present session of the General Assembly.

House Bill No. 553, entitled: An Act to provide for the removal of sand or gravel from that portion of the Ohio River between the thread of the main current and the low water mark on the Illinois, Indiana and Ohio shores; providing for a tax thereon, and the collection thereof, and providing for permits to be issued by the Secretary of State.

House Bill No. 551, entitled: An Act providing compensation for injuries received by persons aiding or assisting the civil or military authorities of this Commonwealth in resist-

ing any mob, riot or assault; and providing the manner of ascertaining the amount of such compensation and the payment thereof.

House Bill No. 550, entitled: An Act to amend and re-enact Section 22 of Chapter LIV of the Acts of the General Assembly of 1918, relating to the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons.

House Bill No. 129, entitled: An Act relating to revenue and taxation.

House Bill No. 438, entitled: An Act to provide for the protection of employees on buildings, and for the inspection of ropes and scaffolds used in the construction, repairing or painting of same, and providing penalty for the violation of the provisions of this Act.

House Bill No. 548, entitled: An Act to amend Section 3563, Kentucky Statutes, being Section 2 of an Act which became a law in the year 1916, being entitled "An Act to amend and re-enact Sections three thousand five hundred sixty-two, three thousand five hundred sixty-three, three thousand five hundred sixty-four, three thousand five hundred sixty-five, three thousand five hundred sixty-six, three thousand five hundred sixty-seven, three thousand five hundred sixty-eight, three thousand five hundred sixty-nine, three thousand five hundred seventy, three thousand five hundred seventy-one, three thousand five hundred seventy-two, three thousand five hundred seventy-three, three thousand five hundred seventy-four, three thousand five hundred seventy-five, three thousand five hundred seventy-six, three thousand five hundred seventy-seven, three thousand five hundred seventy-eight, of the Kentucky Statutes relating to the control and improvement of public streets, alleys, sidewalks, roads, lanes, avenues, highways and thoroughfares in cities of the fourth class," so as to require counties to pay for the cost of all improvements imposed by the city ordinance upon the

property of counties abutting upon streets in cities of the fourth class, to the same extent as other property owners.

Senate Bill No. 264, entitled: An Act to provide for the opening of private passways, tram-roads and haul-roads.

Senate Bill No. 68, entitled: An Act pertaining to the adoption of children and the powers of societies and institutions in child-welfare work, through their officers, to consent to adoptions, and concerning the reclaiming of children by parents or others; and legalizing the adoptions heretofore made which would otherwise be invalid for lack of power to consent.

Senate Bill No. 206, entitled: A bill providing for the establishment of an independent consolidated graded and high school.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the Orders of the Day.

A message was received from the Senate announcing that it had passed Senate Bill No. 361. "An Act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof."

Ordered, that said bill be printed and referred to the Committee on Rules.

Also that it had concurred in House Resolution No. 42: "Joint resolution for the benefit of the Chief Clerks and Assistant Clerks of the House of Representatives and Senate."

Ordered, that said resolution be enrolled.

Also that it had concurred in House Resolution No. 41.

Ordered, that said resolution be enrolled.

Also that it had passed Senate Resolution No. 29: "Resolution commending Susannah Hart Shelby Chapter of the Daughters of the American Revolution for the removal of the remains of Lieut. O'Bannon to the State Cemetery at Frankfort."

Referred to the Committee on Rules.

Also that it had passed Senate Resolution No. 30: "Resolution providing for furnishing Kentucky directories."

Referred to the Committee on Rules.

Mr. Lawrence moved that the session be held tonight beginning at 7:30 o'clock P. M.

Said motion was agreed to.

The following pair was announced, viz.:

Mr. Minor and Mr. Denues on House Bill No. 533 and on all party measures; Mr. Denues would vote for said measures and Mr. Minor against them.

Mr. Lawrence moved that the House do now adjourn until 7:30 P. M.

Said motion was agreed to.

Then the House at 5:25 P. M. adjourned.

NIGHT SESSION.

FRIDAY, MARCH 12, 1920.

The House reconvened at 7:30 o'clock P. M.

Mr. Lawrence, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 20. An Act to require justices of the peace in counties having cities of the first class to provide and maintain a suitable room for the transaction of public business, and authorizing the payment of the expense thereof out of the county levy.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be the duty of each justice of the peace in counties in this Commonwealth in which there is located a city of the first class, to provide and maintain in his district a suitable room in which to hold court and transact the business of the Commonwealth, and he shall provide the necessary heat, light and janitor service for said room, and shall keep therein such blank forms and other stationery as is in his judgment necessary in the transaction of the public business coming before him. Provided, that nothing herein shall be so construed as to change or affect the time, place or manner of transacting any public business coming before such justices.

§ 2. Each of said justices of the peace, in counties in which there is located a city of the first class, shall be allowed for the purpose of defraying the expenses incidental to the performance of the duties created by section one hereof, the sum of nine hundred ($900) dollars per annum, payable out of the county levy in equal monthly installments.

§ 3. Nothing herein shall be construed to change or in any way affect the compensation of such justices of the peace as now fixed by law.

§ 4. Whereas it is highly important for the proper and efficient conduct of business coming before said justices of the peace, an emergency is declared to exist, and this act shall

be in effect from the date of its passage and approval by the Governor.

§ 5. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	Henry Kaufman	R. Lee Stewart
J. M. Billiter	J. M. Knott	T. R. Stultz
Jo F. Bosworth	Hebron Lawrence	J. Mack Thompson
Rodney G. Bryson	I. S. Mason	Dr. D. J. Travis
Roy J. Cain	A. J. McCandless	C. B. Truesdell
W. T. Carner	R. L. McFarron	John L. Trumbo
J. F. Carr	H. C. McLellen	J. Wood Vance
T. L. Caudel	Harry J. Meyers	Fred C. VanHoose
Charles M. Ciarlo	John T. Murphy	Daniel Vose
A. S. Cooper	Estill W. Neel	A. M. Wash
P. A. Day	Chas. A. Nelson	J. S. Webb
H. N. Dean	B. F. Reynolds	Dr. T. R. Welch
Dr. T. H. Gamblin	J. L. Richardson	W. G. Wheeler
A. F. Hanberry	Lee Rogers	R. E. Wilborn
E. C. Hardin	B. A. Roth	V. M. Williamson

Talbert Holliday	Chas. R. Scott	W. N. Winn
A. R. Hudson	W. P. Scott	—52
Robt. Humphreys	S. G. Smith	

Resolved, That the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 336. An Act to amend and re-enact Section 21, of Chapter I of title 3, of the Kentucky Code of Civil and Criminal Practice.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 21 of Chapter I of title 3, Carroll's Edition of the Kentucky Code of Civil and Criminal Practice, be and the same is hereby amended by inserting therein after the word "another," the following, to-wit: "a county, municipal corporation or taxing district with which or in the name of which a contract is made for the benefit of its inhabitants, residents or taxpayers" so that said section, when amended will read as follows:

Section 21. A personal representative, guardian, curator, committee of a person of unsound mind, trustee of an expressed trust, a person with whom or in whose name a contract is made for the benefit of another, a county, municipal corporation or taxing district with which or in the name of which a contract is made for the benefit of its inhabitants, residents or taxpayers, a receiver appointed by the court, the assignee of a bankrupt, or a person expressly authorized by

statute to do so, may bring an action without joining with him or it the person or persons for whose benefit it is prosecuted. Provided, however, that nothing herein contained shall abrogate or take away the individual's right to sue.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	W. L. Kimbrough	Dr. B. F. Shields
S. M. Bennett	J. M. Knott	H. G. Skiles
J. M. Billiter	Hebron Lawrence	S. G. Smith
Rodney G. Bryson	Joseph Lazarus	John T. E. Stites
Roy J. Cain	R. C. Marcum	T. R. Stultz
W. T. Carner	I. S. Mason	John W. Swope
J. F. Carr	A. J. McCandless	J. Mack Thompson
T. L. Caudel	R. L. McFarron	Dr. D. J. Travis
Charles M. Ciarlo	H. C. McLellen	C. B. Truesdell
A. S. Cooper	Harry J. Meyers	John L. Trumbo
P. A. Day	John T. Murphy	J. Wood Vance
H. N. Dean	Estill W. Neel	Fred C. VanHoose
Dr. T. H. Gamblin	Chas. A. Nelson	Daniel Vose
A. L. Hamilton	T. C. Pryse	A. M. Wash
A. F. Hanberry	B. F. Reynolds	J. S. Webb

A. R. Hudson	J. L. Richardson	Dr. T. R. Welch
Adam W. Huff	Sherman Robbins	Gladstone Wesley
Robt. Humphreys	Lee Rogers	W. G. Wheeler
R. O. Huntsman	Chas. R. Scott	R. E. Wilborn
Henry Kaufman	W. P. Scott	—62
Griffin Kelly	E. E. Shannon	

Resolved, That the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 495. An Act providing for the compulsory study of the elements of the geography and geology of Kentucky in all public high schools, and other schools of like grading, in the Commonwealth of Kentucky; and providing for a free text book for use in the instruction of same.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That on and after September 1, 1920, the subject, "The Elements of the Geography and Geology of Kentucky," shall be incorporated in the prescribed list of subjects taught in every public high school, or other school of equal grading in the Commonwealth supported entirely or in part by State funds, shall be compulsory during one year of every student in such secondary schools; and the successful completion of such one-year course in said subject shall be necessary to the graduation of every student from such secondary schools.

§ 2. That the State Geologist is hereby authorized and requested to prepare at once and publish in sufficient number

as a regular report of the Kentucky Geological Survey for the purpose of the teaching of said course in all the high schools of this State an accurate, comprehensive, suitable, scientific and well illustrated cloth bound text book of not to exceed two hundred pages plus maps and diagrams on the subject, "The Elements of the Geography and Geology of Kentucky," and the State Geologist as author shall give therein due emphasis to the commercial significance of the geographic position of Kentucky, and the national importance of the full list of the mineral, agricultural and forest resources of this State including statistics on the production and the value of the coal, oil, gas, asphalt, fluorspar, calcite, barite, lead, zinc, limestones, clays, gravels, farm products, forest products, etc., and that said text shall be approved as to form and presentation of the subject matter in the manuscript by the State Superintendent of Public Instruction before it is printed.

§ 3. That said text book entitled "The Elements of the Geography and Geology of Kentucky," prepared as a regular report by the State Geologist be, and the same is hereby designated as the prescribed, official, and only text for the instruction of this subject for the secondary schools of this State; and the teachers and students, teaching or studying, or in any way making good and profitable use of the same for the purpose of public instruction are hereby authorized and directed to secure their own, individual copies of said text gratuitously by letter of request, or otherwise from the director of the Kentucky Geological Survey at Frankfort, Kentucky.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	Griffin Kelly	Dr. B. F. Shields
S. M. Bennett	W. L. Kimbrough	H. G. Skiles
J. M. Billiter	J. M. Knott	S. G. Smith
Rodney G. Bryson	Hebron Lawrence	H. A. Spillman
Roy J. Cain	Joseph Lazarus	John T. E. Stites
W. T. Carner	R. C. Marcum	T. R. Stultz
J. F. Carr	I. S. Mason	John W. Swope
T. L. Caudel	A. J. McCandless	J. Mack Thompson
A. S. Cooper	R. L. McFarron	Dr. D. J. Travis
P. A. Day	H. C. McLellen	C. B. Truesdell
H. N. Dean	Harry J. Meyers	John L. Trumbo
J. M. Foster	Estill W. Neel	J. Wood Vance
Dr. T. H. Gamblin	Chas. A. Nelson	Fred C. VanHoose
J. W. Geveden	S. C. Ray	Daniel Vose
A. L. Hamilton	B. F. Reynolds	A. M. Wash
A. F. Hanberry	J. L. Richardson	J. S. Webb
A. R. Hudson	Sherman Robbins	Dr. T. R. Welch
Adam W. Huff	Lee Rogers	Gladstone Wesley
Robt. Humphreys	Chas. R. Scott	W. G. Wheeler
R. O. Huntsman	W. P. Scott	R. E. Wilborn
Henry Kaufman	E. E. Shannon	W. N. Winn

—63

Those who voted in the negative were:

H. C. Duffy —1

Resolved, That the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 546. An Act to amend and re-enact sections 2740 and 2741 of Article 1, Chapter LXXXIX, Kentucky Statutes, Carroll's revised 1918 edition, relating to the classification of cities and towns.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2740 and section 2741 of Kentucky Statutes, Carroll's revised edition, 1918, entitled, "Classification of Cities and Towns," be amended by adding to the "Cities of the Fifth Class," after the words "Irvine, Estill County, Kentucky," the words "Horse Cave, Hart County," so that when amended and re-enacted the said act shall read as follows:

"2740. Six Classes. The cities and towns of the Commonwealth are classified as follows, to-wit:

First class—Louisville, Jefferson county.

Second class—Lexington, Fayette county; Covington, Kenton county; Newport, Campbell county; Paducah, McCracken county.

Third class—Owensboro, Daviess county; Henderson, Henderson county; Frankfort, Franklin county; Bowling Green, Warren county; Middlesboro, Bell county; Hopkinsville, Christian county.

Fourth class—Shelbyville, Shelby county; Maysville, Mason county; Richmond, Madison county; Winchester, Clark county; Dayton, Campbell county; Paris, Bourbon county; Ashland, Boyd county; Catlettsburg, Boyd county; Danville, Boyle county; Mt. Sterling, Montgomery county; Georgetown, Scott county; Versailles, Woodford county; Har-

rodsburg, Mercer county; Bellevue, Campbell county; Cynthiana, Harrison county; Mayfield, Graves county; Lebanon, Marion county; Ludlow, Kenton county; Nicholasville, Jessamine county; Pineville, Bell county; Madisonville, Hopkins county; Princeton, Caldwell county; Fulton, Fulton county; Lawrenceburg, Anderson county; Russellville, Logan county; Carrollton, Carroll county; Central City, Muhlenberg county; Corbin, Whitley and Knox counties; Franklin, Simpson county; Barbourville, Knox county; Highlands, Campbell county; London, Laurel county; Providence, Webster county; Morganfield, Union county; Pikeville, Pike county, and Somerset, Pulaski county, and Murray, Calloway county.

Fifth class—Lancaster, Garrard county; Cadiz, Trigg county; Jackson, Breathitt county; Hazard, Perry county; Grand Rivers, Livingston county; Greenville, Muhlenberg county; Louisa, Lawrence county; Columbus, Hickman county; Glasgow, Barren county; West Covington, Kenton county; Earlington, Hopkins county; Hickman, Fulton county; Cloverport, Breckinridge county; Bardstown, Nelson county; Augusta, Bracken county; Stanford, Lincoln county; Williamsburg, Whitley county; Clinton, Hickman county; Midway, Woodford county; Flemingsburg, Fleming county; Elkton, Todd county; Falmouth, Pendleton county; Vanceburg, Lewis county; Carlisle, Nicholas county; Uniontown, Union county; Campbellsville, Taylor county; Hawesville, Hancock county; Eminence, Henry county; Eddyville, Lyon county; Leitchfield, Grayson county; Owingsville, Bath county; Marion, Crittenden county; Sebree City, Webster county; Clay, Webster county; Wickliffe, Ballard county; Morehead, Rowan county; Bardwell, Carlisle county; Sturgis, Union county; Dawson Springs, Hopkins county; Millersburg, Bourbon county; Calhoun, McLean county; Springfield, Washington county; Corydon, Henderson county; Hartford, Ohio county; Morton's Gap, Hopkins county; Livermore, McLean county; Oakdale, Jefferson county; Beattyville, Lee county; Owenton, Owen county; Scottsville, Allen county; Olive Hill, Carter county; Burnside, Pulaski county; Prestonsburg, Floyd county; Warsaw, Gallatin county; Monticello, Wayne county; Berea, Madison county; LaGrange, Oldham county; Guthrie,

Todd county; Clifton, Campbell county; Russell, Greenup county; Mt. Pleasant, Harlan county; Hustonville, Lincoln county, and Elizabethtown, Hardin county, and Drakesboro, Muhlenberg county; Tompkinsville, Monroe county; Irvine, Estill county; Horse Cave, Hart county.

2741. All other incorporated cities and towns not named in this bill shall belong to the sixth class.

Provided, that the officers elected in 1917, and all the officers now serving in the cities above mentioned that are by this act changed from a class other than they are now shall be continued and remain as the officers in the class to which they are now placed, and shall hold such offices until their successors are elected at the regular November election, 1921.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	Henry Kaufman	Dr. B. F. Shields
S. M. Bennett	Griffin Kelly	H. G. Skiles
J. M. Billiter	W. L. Kimbrough	S. G. Smith
Roy J. Cain	J. M. Knott	H. A. Spillman
W. T. Carner	Hebron Lawrence	R. Lee Stewart
J. F. Carr	Joseph Lazarus	John T. E. Stites
T. L. Caudel	R. C. Marcum	T. R. Stultz

Charles M. Ciarlo	I. S. Mason	John W. Swope
A. S. Cooper	A. J. McCandless	J. Mack Thompson
P. A. Day	R. L. McFarron	C. B. Truesdell
H. N. Dean	Harry J. Meyers	John L. Trumbo
J. M. Foster	John T. Murphy	J. Wood Vance
Dr. T. H. Gamblin	Estill W. Neel	Fred C. VanHoose
J. W. Geveden	Chas. A. Nelson	Daniel Vose
A. L. Hamilton	B. F. Reynolds	A. M. Wash
A. F. Hanberry	Sherman Robbins	J. S. Webb
E. C. Hardin	Lee Rogers	Gladstone Wesley
A. R. Hudson	B. A. Roth	W. G. Wheeler
Adam W. Huff	Chas. R. Scott	R. E. Wilborn
Robt. Humphreys	W. P. Scott	W. N. Winn
R. O. Huntsman	E. E. Shannon	—62

Resolved, That the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 488. An Act to amend Section 4337 of Volume 2 of Carroll's 1915 Edition of the Kentucky Statutes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4337 of Volume II of the Kentucky Statutes, edited by Hon. John D. Carroll, be amended by striking out the words "one thousand," and inserting in lieu thereof the words "five hundred," so that said section, when so amended, will read as follows:

"The county road engineer may, with the approval of the fiscal court of the county, purchase of the owner any gravel bed or pit, or stone quarry within the county, gravel or stone for the purpose of grading, repairing or otherwise improving the roads of the county at a price per cubic yard to be approved by the fiscal court. If such county road engineer cannot agree with any such owner for the purchase of such gravel or stone, he may, with the approval of the county court, acquire by condemnation, the right to take or use such gravel or stone and to remove the same from such bed, pit or quarry, for the purpose of grading, repairing, or otherwise improving such roads, together with the rights of way to and from such bed, pit or quarry for the purpose of such removal. No such gravel or stone shall be taken by condemnation within five hundred feet of any house or barn, or from any lawn, orchard or vineyard. The purchase price of such stone or gravel, and the damages awarded in such condemnation proceedings together with the cost and expenses thereof, shall be a county charge and paid out of the money collected therefor as provided by law. If the county shall abandon for a period of five years any right acquired in this section to take or use the gravel or stone from such bed, pit or quarry, or if the county road engineer shall cease to use the same for the purpose for which it was acquired the right thereto shall cease and the ownership shall revert to and become invested in the owner of such bed, pit or quarry or of his heirs or assigns except when the fiscal court has by purchase acquired title to the fee of any land or lands, in which case shall remain and be vested in the county until disposed of by the fiscal court."

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

S. M. Bennett	J. M. Knott	H. A. Spillman
J. M. Billiter	Joseph Lazarus	Wm. A. Stewart
W. T. Carner	R. C. Marcum	John T. E. Stites
J. F. Carr	I. S. Mason	T. R. Stultz
T. L. Caudel	A. J. McCandless	John W. Swope
Charles M. Ciarlo	R. L. McFarron	J. Mack Thompson
A. S. Cooper	Harry J. Meyers	C. B. Truesdell
P. A. Day	John T. Murphy	John L. Trumbo
H. N. Dean	Estill W. Neel	J. Wood Vance
J. M. Foster	Chas. A. Nelson	Daniel Vose
Dr. T. H. Gamblin	B. F. Reynolds	A. M. Wash
J. W. Geveden	J. L. Richardson	J. S. Webb
A. L. Hamilton	Sherman Robbins	Dr. T. R. Welch
A. F. Hanberry	Chas. R. Scott	Gladstone Wesley
E. C. Hardin	W. P. Scott	R. E. Wilborn
R. O. Huntsman	E. E. Shannon	V. M. Williamson
Henry Kaufman	H. G. Skiles	W. N. Winn
W. L. Kimbrough	S. G. Smith	—53

Resolved, That the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Lawrence, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 473. An Act to authorize the incorporation in each county of the State of Kentucky of a County

Farm Bureau for the advancement and improvement of agriculture, home economics, animal industry and horticulture co-operating with the College of Agriculture of the University of Kentucky and the United States Department of Agriculture, to define the powers and rights of such farm bureaus and its members, to provide for appropriation by county fiscal courts or county commissioners in aid thereof and to provide for the federation of such County Farm Bureaus.

Mr. Day moved that Senate Bill No. 319, which had passed the Senate and which was in the Orders of the Day in the House, be substituted for said House bill.

Said motion was agreed to.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. For the purpose of improving and advancing the science and art of agriculture, home economics, animal industry and horticulture, co-operating with College of Agriculture of the University of Kentucky and the United States Department of Agriculture, a body corporate is hereby authorized in each county in the state. And each county is hereby authorized to federate one with the other or all together for the purpose of forming a State Federation.

§ 2. The articles of the incorporation shall be as follows: We, the undersigned farmers or land owners, residents of ..... County, Kentucky, do hereby adopt the following articles of incorporation:

Article 1. The objects of this incorporation shall be to advance and improve in ..... County, Kentucky, the science and art of agriculture, home economics, horticulture and animal industry, co-operating with College of Agriculture of the University of Kentucky and the United States Department of Agriculture.

Article 2. The name of this corporation shall be the ..... County Farm Bureau of ..... County, Kentucky.

Article 3. The affairs of this incorporation shall be conducted by a president, vice president, a secretary and a treasurer, who shall perform the duties usually pertaining to such positions, and by a Board of Directors of not less than seven members, all of which officers and directors shall be elected by members of said corporation at an annual meeting on the 4th Monday of January of each year. All officers and directors shall hold their positions for one year and until their successors are elected. We, the said incorporators, have elected the following provisional officers to hold their respective positions until their successors are elected at the annual meeting in the year .....

President .....
Vice President .....
Secretary .....
Treasurer .....

Board of Directors:

1. .....
2. .....
3. .....
4. .....
5. .....
6. .....
7. .....

Article 4. The yearly dues of the members of this corporation shall not be less than five ($5.00) dollars payable at the time of applying for membership and on the fourth Monday in January of each year thereafter. No member having once paid dues shall forfeit his membership until his or her subsequent dues are six months in arrears.

Article 5. Any citizen of the county owning or operating a farm shall have a right to become a member of the incorporation by paying one year's dues and thereafter complying with the articles of incorporation and by-laws.

Article 6. This incorporation shall endure until terminated by operation of law.

§ 4. Such body corporate may sue and be sued, but the private property of members shall be exempt from corporate debts. It may have a seal which it may alter at pleasure.

§ 5. Such body corporate shall have power to adopt by-laws, to take by gift, purchase, devise or bequest, real or personal property, to have and exercise all power necessary, appropriate or convenient for the successful carrying out of the objects of said corporation. It shall have the authority to use part or all of the sum annually received as dues from its members in payment of prizes offered in any department of work, including agricultural fairs, short courses or farmers institutes, in supplementing the salary or expenses of county agricultural agents, home demonstration inspectors, special agents in any of the departments which it may attempt to introduce or develop, in payment of whatever dues or assessments which may be levied or assessed against it by the State Farm Bureau Federation or the American Farm Bureau Federation.

§ 6. The articles of incorporation shall be recorded by the county court clerk without fee of any kind.

§ 7. No salary shall be paid to the president, vice president or to any director.

§ 8. No dividend shall ever be declared by this corporation. Any diversion of the funds or profits of such corporation to any purpose except the purposes of the corporation shall constitute larceny and be punished as provided by law.

§ 9. The treasurer shall give bond, the amount to be fixed by the Board of Directors, in double the amount of money likely to come into his hands with security. Said bond shall be filed with the county court clerk and be recorded without fee. In no case shall the bond of the treasurer be less than one thousand ($1,000.00) dollars.

§ 10. The outgoing president and treasurer shall, on the 4th Monday of January of each year, file with the County Court Clerk full and detailed reports under oath of all receipts and expenditures of said corporation showing from whom received and to whom paid, and for what purpose. A duplicate of said report shall also be laid before the members at the annual meeting. The books, papers and records of said corporation shall at all times be open to the inspection of the County Fiscal Court or County Commissioners or to any one appointed by them to make examination.

§ 11. Whenever the articles of incorporation have been filed as provided by this act and the secretary and treasurer have certified to the County Fiscal Court or County Commissioners that said organization has one hundred members who own or operate farms in said county, and that organization has raised from among its members by annual membership dues or otherwise a fund of not less than five hundred ($500.-00) dollars, which fund is in possession of the treasurer, the County Fiscal Court or County Commissioners shall appropriate to such organization to be paid from the general fund of said county a sum double the amount of the fund in the hands of the treasurer not to exceed, however, a total of five thousand ($5,000.00) dollars in counties with a total property value listed for taxation of twenty million ($20,000,000.00) dollars or more, and in counties with a total property value listed for taxation of over fifteen million ($15,000,000.00) dollars and under twenty million ($20,000,000.00) dollars, not to exceed four thousand ($4,000.00) dollars and in counties with the total property value listed for taxation of over ten million ($10,000,000.00) dollars and under fifteen million ($15,000,-000.00) dollars, not to exceed three thousand ($3,000.00) dollars, and in counties with a total property value listed for taxation of over five million ($5,000,000.00) dollars and under ten million ($10,000,000.00) dollars, not to exceed two thousand ($2,000.00) dollars, and in counties with a total property value for taxation for five million ($5,000,000.00) dollars or less not to exceed fifteen hundred ($1,500.00) dollars, in any one year. All appropriations from County Fiscal Courts, or County Commissioners shall be used in the payment of the salaries and expenses of employees appointed in co-operation with the College of Agriculture of the University of Kentucky, and United States Department of Agriculture or to pay for supplies or equipment for said employees. All employees who receive all or part of their salary or expenses from the College of Agriculture of the University of Kentucky, or the United States Department of Agriculture shall be selected by the Director of Extension of the College of Agriculture of Kentucky, subject to the approval of the Executive Committee of the County Farm Bureau.

§ 12. The only County Farm Bureau which shall be entitled to receive county aid or county appropriations shall be such as are organized so as to co-operate with the United States Department of Agriculture and the College of Agriculture of the University of Kentucky, and when approved by the Executive Committee of the Kentucky Farm Bureau Federation hereinafter provided for.

§ 13. The treasurer of said corporation shall receive all funds belonging to said corporation, and all appropriations made by County Fiscal Courts or County Commissioners, and shall pay out same only on bills allowed by the Board of Directors or by the Executive Committee of said Board of Directors. Such allowance to be certified to by the president or secretary.

§ 14. Any officer making a certificate herein provided for, knowing the same to be false or incorrect in any particular shall be guilty of a misdemeanor and on conviction shall be fined in any sum not to exceed one hundred ($100.00) dollars.

§ 15. Any treasurer of such association who in any manner converts the funds or property of such association for his own use or pays out or disposes of the same in any manner different than as directed herein shall be considered guilty of larceny and punished as provided by law.

§ 16. Ten or more county farm bureaus when duly incorporated and organized under this act may form a state federation of farm bureaus which shall have for its object the advancement and improvement of the agricultural and allied interest of the farmers of Kentucky, which is authorized to co-operate with the State College of Agriculture, and the United States Department of Agriculture and the Department of Agriculture of this state.

§ 17. Such State Federation of County Farm Bureaus shall be organized by the election of one director from each of the county farm bureaus forming such State Federation of Farm Bureaus, who shall hold their office for one year. Each of these directors shall have one vote and an additional vote for each five hundred members or major fraction thereof belonging to the farm bureau which such director represents.

§ 18. Said directors when so elected shall meet at some central point and proceed to elect a president, first vice president and second vice president. Said board of directors shall at said meeting provide for the election or appointment of a secretary and a treasurer and an executive committee. Said executive committee shall consist of one director from each congressional district, and shall have charge of the affairs of said State Federation of County Farm Bureaus while the board of directors are not in session and the president and vice presidents shall be ex-officio a member of, and chairman of such executive committee. A majority of said directors shall constitute a quorum for the transaction of business.

§ 19. Said State Federation of County Farm Bureaus shall have power to admit to membership other county farm bureaus as they are incorporated and organized under this act; to assess annual membership dues against each county farm bureau; it shall have power to adopt a constitution and by-laws for its government not inconsistent with this act; to acquire, own and hold property, to accept gifts, devises and bequests; to appropriate and expend its funds for the advancement of farming and allied interest of agriculture, and to do everything necessary to carry out the purpose for which it is organized.

§ 20. Said Board of Directors, or the Executive Committee, if such Board of Directors is not in session, shall provide for the bonding of all officers deemed necessary, and the making of such reports by such officers as they deem necessary.

§ 21. All laws or parts of laws in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Lawrence moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

L. H. Ballard	J. M. Knott	Dr. B. F. Shields
S. M. Bennett	Dr. S. D. Laughlin	H. G. Skiles
J. M. Billiter	Hebron Lawrence	S. G. Smith
W. T. Carner	Joseph Lazarus	H. A. Spillman
J. F. Carr	R. C. Marcum	R. Lee Stewart
T. L. Caudel	I. S. Mason	John T. E. Stites
Charles M. Ciarlo	A. J. McCandless	T. R. Stultz
A. S. Cooper	R. L. McFarron	John W. Swope
P. A. Day	H. C. McLellen	J. Mack Thompson
H. N. Dean	Harry J. Meyers	C. B. Truesdell
Dr. T. H. Gamblin	John T. Murphy	John L. Trumbo
A. L. Hamilton	Estill W. Neel	J. Wood Vance
A. F. Hanberry	T. C. Pryse	Fred C. VanHoose
E. C. Hardin	B. F. Reynolds	Daniel Vose
Talbert Holliday	J. L. Richardson	A. M. Wash
A. R. Hudson	Sherman Robbins	J. S. Webb
Adam W. Huff	Lee Rogers	Dr. T. R. Welch
Robt. Humphreys	B. A. Roth	Gladstone Wesley
R. O. Huntsman	Dr. Lewis Ryans	W. G. Wheeler
Henry Kaufman	Chas. R. Scott	R. E. Wilborn
Griffin Kelly	W. P. Scott	V. M. Williamson
W. L. Kimbrough	E. E. Shannon	W. N. Winn

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Those who voted in the negative were:

J. W. Geveden	Chas. A. Nelson	—2

Resolved, That the title thereof be as aforesaid.

Mr. Lawrence moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 421. An Act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of such contracts, stocks, bonds, or other securities, and an inspection of the business of said persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the business of said persons, firms, companies, associations or corporations, including dealers and agents as may be necessary to prevent fraud in the sale within this State of any contracts, stocks, bonds, or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

Mr. Huntsman moved that Senate Bill No. 269, which has passed the Senate and is in the Orders of the Day in the House, be substituted for said House bill.

Said motion was agreed to.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The State Banking Commissioner shall be and he is hereby constituted and delegated with full power and author-

ity to supervise and enforce the provisions of this Act, and he shall appoint an assistant at a salary not exceeding twenty-four hundred dollars per annum for the purpose of this Act, to be paid in the same manner as the salary of the Banking Commissioner, and such Banking Commissioner shall make such rules and regulations as may be necessary to carry out the provisions herein and shall prepare all necessary blanks, records, and stationery, and shall pay all other expenses lawfully incurred hereunder in the same manner as expenses of his office are now paid.

§ 2. Investment Company Defined—Every person, corporation, co-partnership, company or association (except those whose securities are exempt under the provisions of this Act), organized or which shall hereafter be organized in this Commonwealth, whether incorporated or unincorporated, which shall either himself, themselves or itself, or by or through others, sell or negotiate for the sale of any contract, stock, bonds or other securites issued by him, them or it, within the Commonwealth of Kentucky, shall be known for the purposes of this Act as a domestic investment company.

Every such person, corporation, co-partnership, or association, a resident of or organized in any other State, territory or government, shall be known for the purposes of this Act as a foreign investment company.

§ 3. The provisions of this Act shall not apply to (a) securities of the United States; or any foreign government; or any State or territory thereof, or of any county, city, township, district, or other public taxing sub-division of any State or territory of the United States, or any foreign government; (b) unsecured commercial paper; (c) securities of public or quasi-public corporations, the issue of which securities is regulated by any public service commission or board of equal authority of any State or territory of the United States or securities senior thereto; (d) securities of State or national banks or trust companies and building and loan associations; (e) securities of any domestic corporation organized without capital stock, and not for pecuniary gain, or exclusively for educational, benevolent, charitable or reformatory purposes; (f) mortgages upon real or personal property situated in this

State where the entire mortgage is sold and transferred with the note or notes secured by such mortgage; (g) increase of stock sold and issued to stockholders, also stock dividends; (h) securities of corporations, which corporations are listed in any standard manual of information: Provided, however, that said Banking Commission shall have power to call for additional and further information than that contained in such manuals with reference to any securities listed therein, and may, pending the filing of such information, suspend the sale of such securities, and also suspend, either temporarily or permanently, the sale of any securities listed in such manuals after a hearing upon notice to the issuer of such securities if, in the opinion of said Banking Commissioner the sale of such securities would work a fraud upon the purchaser thereof; (i) securities (other than those exempted in paragraphs a, b, c, d, e, f, g and h), sold or offered for sale by or through a licensed dealer who is a member of a regularly organized and recognized stock exchange who has an established and lawfully conducted place of business in this State, regularly open for public patronage as such: Provided, however, that said Banking Commissioner shall have power to suspend temporarily or permanently the sale of such securities by any person, firm or corporation when, in the opinion of the Banking Commissioner the sale of such security or securities would work a fraud upon the purchaser thereof; (j) securities listed on any stock exchange recognized by the Banking Commissioner or securities senior thereto; Provided, however, that the Banking Commissioners shall have the power to suspend temporarily or permanently the sale of such securities by any person, firm or corporation when in the opinion of the Banking Commissioner the sale of such security or securities would work a fraud upon the purchasers thereof; (k) securities sold or offered for sale to a licensee under this Act.

§ 4. Before selling, offering for sale, taking subscriptions for, or negotiating for the sale in any manner whatsoever in this Commonwealth any contracts, stocks, bonds, or other securities of its own issue, every investment company, domestic or foreign, shall file in the office of the Banking Commissioner

a statement showing in full detail the plan upon which it proposes to transact business, a copy of all contracts, stocks, bonds or other instruments which it proposes to make with or sell to, its contributor or customers, together with a copy of its prospectus, and of the proposed advertisements of its sale of stocks, bonds, or other securities, which statement shall also show the name and location and main office of the investment company; the names and addresses of its officers, and an itemized account of its financial condition and of its assets and liabilities, and such other information touching its condition and affairs as the Banking Commissioner may require.

If such investment company shall be a co-partnership or an unincorporated association, it shall also file with the Banking Commissioner a copy of its articles of incorporation or co-partnership, constitution and by-laws, and all other papers pertaining to its organization. If it shall be an investment company organized under the laws of any other State, territory or government incorporated or unincorporated, it shall also file with the Banking Commissioner a copy of the laws of the State, or territory, or government. under which it exists or is incorporated, and also a copy of its charter and the certificate of the proper officer of such State showing that it is authorized to transact business there; and also copies of its constitution and by-laws of all amendments of any of the above mentioned instruments which have been made, and of all other papers pertaining to its organization. It shall also pay a filing fee of one-tenth per cent. upon the face value of the securities for the sale of which application is made: Provided, however, such filing fee shall not be more than one hundred dollars nor less than ten dollars.

§ 5. All the above described papers shall be verified by the oath of a member of the co-partnership or company, if it be a co-partnership or company, and by the oath of a duly authorized officer, if it be a corporation or an unincorporated association.

All such papers, however, as are recorded or are on file in any public office shall be further certified by the officer of

whose records they form a part, as being correct copies of such records.

§ 6. Every foreign investment company before offering for sale any of its stocks, bonds, or other securities in this Commonwealth, shall file its irrevocable written consent that suits and actions may be commenced against it in the proper courts of any county in this Commonwealth in which a cause of action may arise, or in which the plaintiff may reside, by the service of any process or pleading authorized by the laws of this Commonwealth, on the Banking Commissioner, said consent stipulating and agreeing that such service of each process or pleading on such Commissioner shall be taken and held in all courts to be as valid and binding as if due service had been made on the company itself, and said instrument containing such consent shall be authenticated by the seal of said foreign investment company, and shall in such case be accompanied by a duly certified copy of the resolution of the Board of Directors, authorizing the president and secretary to execute the same. In any case any process or pleading mentioned in this Act are served upon the Banking Commissioner, it shall be by duplicate copies, one of which shall be filed in the office of the Banking Commissioner, and another immediately forwarded by registered mail to the head office of the investment company against which said process or pleadings are directed.

§ 7. The said Banking Commissioner shall have power to demand from any investment company seeking to come under the provisions of this Act any further information other than that which such investment company is required to furnish under the provisions of this Act which shall be necessary to properly qualify him to pass upon all questions that may come before him. He may make or have made under his direction a detailed examination of such investment company's property, business and affairs, which examination shall be at the expense of the applicant. He may cause an appraisal to be made at the expense of the investment company of the property of the said investment company, including the value of patents, good will, promotion and intangible assets, and he may fix the amount of stocks, bonds, or other securities that

may be issued by any corporation, foreign or domestic, in payment for property, patents, good will, promotion and intangible assets at the value he shall find same to be worth, and may require that such stocks, bonds or other securities so issued for such property, patents, good will, promotion and intangible assets shall be deposited in escrow under such term as said Banking Commissioner may prescribe. And said Banking Commissioner may withhold his certificate of authority to sell such stocks, bonds, or other securities if such corporation has issued stocks, bonds, or other securities in payment for property, patents, good will, promotion and intangible assets in excess of their value as found by said Banking Commissioner, or if said stocks, bonds or other ssecurities are not deposited in escrow according to the terms fixed by the Banking Commissioner until such stocks, bonds, or other securities issued in payment for property, patents, good will, promotion and intangible assets in excess of the value so found by said Banking Commissioner has been surrendered to such corporation and cancelled by it, and until the said stock has been deposited in escrow under the terms prescribed by said Banking Commissioner.

§ 8. It shall be the duty of said Banking Commissioner to examine the statements and documents filed in his office by any investment company and the reports of any investigation conducted under the direction of said Banking Commissioner and to hear such applicant and he shall have power to examine under oath any person interested or connected with such investment company, and if said Banking Commissioner finds that the proposed contracts, stocks, bonds, or other securities are fraudulent or of such nature that the sale thereof would, in the opinion of the said Banking Commissioner, work a fraud upon the purchaser, then the said Banking Commissioner shall disapprove the sale of such proposed contracts, stocks, bonds, or other securities and shall notify such investment company, by registered mail, of his findings and disapproval, and it shall be unlawful for such company to do any further business in the way of selling, offering for sale, taking subscriptions for, or negotiating for the sale in any manner whatever of any such contracts, stocks, bonds, or other securities

in this Commonwealth; and said contracts, stocks, bonds, or other securities shall not be sold in this State; provided, however, that such investment company may have the right to an appeal to the circuit court of Franklin county within forty days after such disapproval, and shall be entitled to an immediate trial therein. Each party may appeal from the decision of the Franklin circuit court to the Court of Appeals. If, however, such Banking Commissioner shall not find that the proposed plan of business of said investment company or that its proposed contracts, stocks, bonds, or other securities are fraudulent or are of such nature that the sale thereof would in the opinion of said Banking Commissioner work a fraud upon the purchaser thereof, then he shall approve the sale of same in the Commonwealth of Kentucky, and issue his certificate in substantially the following language:

This is to certify that the .....has this day been given permission to sell..... of its.....within the (Stocks, bonds or other securities)

Commonwealth of Kentucky,

Franklin County.

The Banking Commissioner does not recommend the purchase of this security (two sizes larger)

This .....day of ....., A. D., 19....

In witness whereof, I have hereunto affixed the seal of the bank department.

Done at Frankfort, Kentucky, this .....day of ....., A. D., 19.....

.....

Banking Commissioner.

(SEAL).

The words "the Banking Commissioner does not recommend the purchase of this security" shall be printed in type two sizes larger than any other part of said certificate, and in case said certificate or the fact that said Banking Commissioner has approved said securities is printed or published in any circular, pamphlet or newspaper, the words "the Banking Commissioner does not recommend the purchase of this

security'' shall be printed in type two sizes larger than the balance of said certificate, or statement or such facts that such securities have been approved by said Banking Commissioner appears.

§ 9. Any person, firm, co-partnership, corporation or association, whether domestic or foreign, not the issuer, who shall in this Commonwealth sell or offer for sale any stocks, bonds or other securities, exempted or non-exempted, or who shall, by advertisement or otherwise, profess to or engage in the business of selling or offering for sale any securities, shall be deemed to be a ''dealer'' within the meaning of this Act, and no dealer within the meaning of this Act shall sell or offer for sale any securities or profess the business of selling or offering for sale any securities unless and until he shall have obtained a license as provided in this Act. The term ''dealer'' shall not include an owner, not issuer, of such securities so owned by him when such sale is not made in the course of continued and successive transactions of a similar nature, nor one who, in a trust capacity created by law, lawfully sells any securities embraced within such trust.

§ 10. Any dealer desiring to sell or offer for sale within this Commonwealth any contracts, stocks, bonds, or other securities shall first register with the Banking Commissioner and shall furnish said Banking Commissioner upon oath in such form as the Banking Commissioner shall prescribe the following information, to-wit: The dealer's name, residence and business address, the general character of the securities to be dealt in, the place or places where the business is to be conducted within this Commonwealth, and where the business in this Commonwealth is not to be conducted by the dealer in person, then the names and addresses of all persons in charge thereof. Said dealer at the time of such registration shall pay to the Banking Commissioner a license fee of fifty dollars and shall furnish said Banking Commissioner with such other information in addition to that above specified as said Banking Commissioner shall deem necessary in order to thoroughly acquaint himself with the character of the business of such dealer. All authorized agents of any dealer shall be registered with the Banking Commissioner

and the name of any agent shall be stricken from the register by the Banking Commissioner upon the written request of the dealer and additional agents may be registered by the Banking Commissioner upon like request of the dealer accompanied with the fee therefor; provided, that no agent shall act as such until his name and address shall be registered with the Banking Commissioner.

If the dealer be a foreign person, co-partnership, association or corporation, it shall at the time of registry with the Banking Commissioner file with the commissioner a written duly authenticated appointment of the Banking Commissioner of this Commonwealth as its agent in Kentucky upon whom process or pleadings may be served for and on behalf the dealer for the purposes mentioned in Section 6 of this Act, and such appointment shall be irrevocable.

Upon compliance by such dealer with the provisions of this Act, the said Banking Commissioner shall issue to him a certificate of authority under the seal of said commission, which said certificate shall be valid for one year from the date thereof, unless sooner revoked by said Banking Commissioner as provided for in this Act; provided, that in the event such certificate of authority be not revoked before the expiration of one year from the date thereof, same may be renewed by the said Banking Commissioner upon receipt of an inspection fee of twenty-five dollars.

§ 11. Said Banking Commissioner may at any time revoke any such license, or refuse to renew the same, upon ascertaining that the licensee:

(a) Is of bad business repute;

(b) Has violated any provision of this Act; or

(c) Has engaged, or is about to engage, under favor of such license, in illegitimate business or in fraudulent transactions.

No dealer whose license has been revoked shall be relicensed within six months from the date of such revocation.

The Banking Commissioner shall at once lay before the prosecuting attorney, of the proper county any evidence which shall come to his knowledge of criminality under this Act.

§ 12. At least five days before revoking or refusing to grant or renew a license, the Banking Commissioner shall send by registered mail to the licensee or applicant, at the address named in the application written notice of his intention so to do, specifying therein the reason for such revocation or refusal.

§ 13. Any one whose license shall be refused or revoked, or to whom a renewal license may be denied, may file, within thirty days thereafter in the Franklin circuit court, a petition against the Banking Commissioner officially, as defendant, alleging therein, in brief detail the plaintiff's qualifications to be licensed and praying for a reversal of the official action complained of. Upon service of summons upon said defendant, returnable within three days from its date, but otherwise made as in civil actions, he shall, within one week from each return day, file an answer, in wihch he shall allege by way of defense the grounds previously assigned in his notice to such applicant or licensee, and such other grounds as shall in the meantime, accrue or be discovered. All allegations of the answer shall be deemed to stand denied without further pleading and, upon application of either party, the cause shall be advanced and heard without delay. Merely technical irregularities in the procedure of such Banking Commissioner shall be disregarded and the burden shall rest upon the plaintiff to disprove the grounds assigned and specified in the official action complained of. Upon the decision of the case by the Franklin circuit court, either party shall have the right to appeal to the Court of Appeals and, upon motion of either party, said case shall be advanced by the Court of Appeals and decided as speedily as possible. A judgment sustaining the refusal of the Banking Commissioner to grant or renew a license shall not bar, after thirty days, a new application by plaintiff for a license, nor shall a judgment in favor of the plaintiff prevent such Banking Commissioner from hereafter revoking such license for any proper cause which may thereafter accrue or be discovered.

§ 14. In addition to the filing, inspection and examination fees herein provided for to be paid by investment companies and dealers, there shall be charged and collected by the

Banking Commissioner a fee of three dollars for the registration and authorization of each agent of any such dealer or investment company, and shall be valid until March 1 following unless sooner revoked by the commissioner for cause appearing sufficient, and all the fees and charges collected by the Banking Commissioner shall be turned into the Commonwealth treasury and are hereby re-appropriated to the Banking Commissioner toward paying the expenses of enforcing this Act.

§ 14a. The provisions of Sections 10, 11, 12, 13 and 14 shall not apply to foreign dealers offering securities in this Commonwealth solely to dealers duly registered and licensed under the provisions of this Act.

§ 15. The general account of every investment company, domestic or foreign, shall be kept in a business-like and intelligent manner and in a sufficient detail that said Banking Commissioner can ascertain at any time its financial condition and the books and accounts shall at all times during business hours, except on Sundays and legal holidays, be open to stockholders and investors in said company and to said Banking Commissioner, and all such investment companies shall be subject to examination by said Banking Commissioner, or duly authorized examiner at any time said Banking Commissioner shall deem it advisable and in the same manner as is now provided for the examination of State banks, and such investment companies shall pay a fee for each examination not to exceed ten dollars per day or fraction thereof that any examiner is absent from the Capitol building for the purpose of making such examination, and in addition thereto shall pay the actual hotel and traveling expenses of such authorized examiner from Frankfort and return. And the failure or refusal of any investment company to pay such fees upon demand of such Banking Commissioner or duly authorized examiner, while making such examination, shall work a forfeiture of the right of such investment company to sell or offer for sale any of its contracts, stocks, bonds, or other securities in this State. In case a preliminary examination of any investment company by said Banking Commissioner for the purpose of the ascertainment by said Banking

Commissioner as to whether said company shall be permitted to come under the provisions of this Act, the fee for such examination shall be the same as in this section provided, and in case it shall appear to the Banking Commissioner from the examination of such investment company, after said investment company has been authorized to sell or offer for sale its contracts, stocks, bonds, or other securities that the further sale of said contracts, stocks, bonds or other securities would work a fraud upon the purchaser, then the said Banking Commissioner may make an order revoking the license of such investment company to sell its contracts, stocks, bonds or other securities upon notice duly given and a hearing duly had, and may, pending such hearing, suspend the right of such investment company to sell its contracts, stocks, bonds or other securities.

§ 16. It shall be unlawful for any investment company or dealer or representative thereof, either directly or indirectly, to sell or cause to be sold, offer for sale, take subscriptions for, or negotiate for the sale in any manner in this Commonwealth, any contracts, stocks, bonds or other securities (except as expressly exempted herein), unless and until said Banking Commissioner has approved thereof and issued his certificate in accordance with the provisions of this Act, nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statement and papers required to be filed by virtue of the provisions of this Act or the rules of the Banking Commissioner. It shall be unlawful for any investment company, or dealer, or its or his agents, to issue, circulate or deliver any advertisement, pamphlet, circular, prospectus or other document in regard to its stocks, bonds or other securities (except as expressly exempted herein) in the Commonwealth of Kentucky differing in any way from the copy filed with the said Banking Commissioner as provided in this Act. It shall be unlawful for any publication in the Commonwealth of Kentucky to advertise the sale of any stocks, bonds or other securities which have not been approved by said Banking Commissoner or which are not exempt under the provisions of this Act.

§ 17. No dealer within the meaning of this Act shall sell or offer for sale within this Commonwealth any of the contracts, stocks, bonds or other securities of any investment company (except as expressly exempted herein), unless such investment company shall have fully complied with all the provisions of this Act, nor until said dealer shall have registered with the Banking Commissioner under the terms of this Act; provided, however, that should any dealer desire to sell or offer for sale within this Commonwealth the contracts, stocks, bonds or other securities of any investment company, which has not itself complied with the provisions of this Act, said dealer shall make application to the said Banking Commissioner for license as hereinbefore provided for applications by investment companies and shall pay the same fee required to be paid by said investment company.

§ 18. All information obtained by the Banking Commissioner relating thereto shall be open to examination by the public, and it shall be the duty of the Banking Commissioner to preserve such information, and so classify and arrange it as to facilitate examination and inspection thereof. The Banking Commissioner shall from time to time issue in pamphlet form, or by newspaper advertisements, or otherwise, any and all information regarding any and all contracts, stocks, bonds or other securities sold or offered for sale within this State which he deems would be of public interest or advantage.

§ 19. Nothing in this Act shall be construed to repeal or modify any laws giving the State Bank Department of this Commonwealth control over State banks, and the business of banking in this Commonwealth, nor shall any part of this Act be construed to repeal or modify laws giving the insurance commissioner of this Commonwealth control of and supervision over the business of insurance in this Commonwealth and those engaged therein.

§ 20. Any person who shall knowingly or wilfully subscribe to or make or cause to be made any false statement or false entry in any book of any investment company or who shall exhibit any false paper with the intention or for the purpose of deceiving any person authorized to examine into

the affairs of said investment company, or shall make or publish any false statement of the financial condition of said investment company or false statement relating to the contracts, stocks, bonds or other securities by it issued and offered for sale, shall be deemed guilty of false swearing, and shall be punished as provided by law for such offense.

§ 21. The Banking Commissioner shall provide for the furnishing to those who may apply therefor of any information regarding any investment company or its affairs, which is on file in its office, said Banking Commissioner to charge therefor approximately the cost of preparing such information, and fifty cents for each certificate of authentication. All fees collected under the provision of this Act shall be paid into the State Treasury on the first day of each and every calendar month, and a complete record of all fees received shall be kept in the office of the Banking Commissioner, and all said fees so turned into the State Treasury are hereby appropriated to the Banking Commissioner for the purpose of paying salaries and expenses necessary for carrying this Act into effect.

§ 22. Every investment company, corporation or association, domestic or foreign, shall, within ninety days after the close of its fiscal year, file each and every year a detailed statement in such form and containing such information as the Banking Commissioner may prescribe and require, showing its condition at the close of such fiscal year, and shall, at the same time, pay a filing fee therefor of two dollars and fifty cents; provided, that such Banking Commissioner may call for any other or additional reports of any kind at any time, and such other or additional reports shall be filed with the Banking Commissioner not more than twenty days after the call therefor, and for which report a like fee as above provided shall be paid.

§ 22-a. It shall be illegal for any person, firm, corporation, or association to pay or agree to pay in consideration for the sale of any of the securities included in this Act in property of any character a commission or fee greater than twenty per cent.

§ 23. Any person or persons who shall violate any of the provisions of this Act shall, except as otherwise specifically provided, be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one thousand dollars or may be imprisoned in the county jail for not more than one year, or by both such fine and imprisonment in the discretion of the court trying the case.

§ 24. No trick, device, subterfuge or pretense shall be allowed to evade the operation or defeat the purpose of this law.

§ 25. Should the courts of this Commonwealth or of the United States declare any section, provision or part of this Act unconstitutional or unauthorized, or in conflict with any other section or provision of this Act, then such declaration shall effect only the section, provision or part so declared to be unconstitutional or unauthorized, or if in conflict only such provisions or parts as are so held, and such holding shall not affect any other section or part of this Act.

§ 26. All laws and parts of laws in conflict herewith are hereby repealed, and this Act shall be in force from and after its passage.

Mr. Geohringer offered the following amendment to Senate Bill 269, viz.:

Amend Senate Bill No. 269, substituted for House Bill No. 421, by striking out in Section 26, line 2 of the printed bill, the following words: "and this Act shall be in force, from and after its passage."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	E. E. Shannon
L. H. Ballard	Griffin Kelly	Dr. B. F. Shields
S. M. Bennett	W. L. Kimbrough	S. G. Smith
J. M. Billiter	J. M. Knott	H. A. Spillman
Rodney G. Bryson	Joseph Lazarus	R. Lee Stewart
W. T. Carner	R. C. Marcum	John T. E. Stites
J. F. Carr	I. S. Mason	T. R. Stultz
T. L. Caudel	A. J. McCandless	J. Mack Thompson
Charles M. Ciarlo	R. L. McFarron	C. B. Truesdell
A. S. Cooper	H. C. McLellen	John L. Trumbo
P. A. Day	Harry J. Meyers	J. Wood Vance
H. N. Dean	John T. Murphy	Fred C. VanHoose
Dr. T. H. Gamblin	Estill W. Neel	Daniel Vose
J. W. Geveden	Chas. A. Nelson	A. M. Wash
A. L. Hamilton	T. C. Pryse	J. S. Webb
A. F. Hanberry	J. L. Richardson	Dr. T. R. Welch
E. C. Hardin	Sherman Robbins	Gladstone Wesley
Talbert Holliday	B. A. Roth	W. G. Wheeler
A. R. Hudson	Dr. Lewis Ryans	R. E. Wilborn
Robt. Humphreys	Chas. R. Scott	V. M. Williamson
R. O. Huntsman	W. P. Scott	W. N. Winn

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Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 516. An Act to repeal Chapter I, Acts of 1916, relating to issuance of free passes or transportation by railroad companies.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter I, Acts of the General Assembly of 1916, which is an act entitled, "An Act to make it unlawful for any common carrier of passengers in this state to issue or give, and for any person to accept or use, or attempt to use, except as provided in this act, any free pass or free transportation; and requiring such carriers to file in the office of the Attorney General verified reports of free passes or free transportation issued, and prescribing penalties for violations of its provisions," which was approved by the Governor on February 10, 1916, be, and the same is now repealed and held for naught.

§ 2. This act to take effect upon passage and approval in due course.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

P. A. Day	Griffin Kelly	Lee Rogers
H. N. Dean	W. L. Kimbrough	Dr. Lewis Ryans
J. M. Foster	R. C. Marcum	Chas. R. Scott
A. L. Hamilton	I. S. Mason	R. Lee Stewart
E. C. Hardin	R. L. McFarron	T. R. Stultz
Talbert Holliday	H. C. McLellen	C. B. Truesdell
A. R. Hudson	Harry J. Meyers	John L. Trumbo
Adam W. Huff	John T. Murphy	R. E. Wilborn
Robt. Humphreys	Estill W. Neel	V. M. Williamson
R. O. Huntsman	T. C. Pryse	W. N. Winn

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Those who voted in the negative were:

Sidney Alfrey	J. M. Knott	Wm. A. Stewart
L. H. Ballard	Dr. S. D. Laughlin	John T. E. Stites
S. M. Bennett	Hebron Lawrence	John W. Swope
J. M. Billiter	Joseph Lazarus	J. Wood Vance
W. T. Carner	A. J. McCandless	Fred C. VanHoose
J. F. Carr	Chas. A. Nelson	Daniel Vose
T. L. Caudel	J. L. Richardson	A. M. Wash
A. S. Cooper	Sherman Robbins	J. S. Webb
H. C. Duffy	B. A. Roth	Dr. T. R. Welch
Dr. T. H. Gamblin	W. P. Scott	Gladstone Wesley
J. W. Geveden	E. E. Shannon	W. G. Wheeler
A. F. Hanberry	H. G. Skiles	
Henry Kaufman	S. G. Smith	

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Said bill was defeated.

Mr. Huntsman moved that the vote by which said bill was lost be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 90. An Act repealing Sections 177, 178, 183, 185, 186 of the Common School Law, the same being Sections 4501, 4502, 4502-a-4, 4503, respectively, of the Kentucky Statutes, Carroll's Edition, 1915, relating to the certification of teachers and granting of common school diplomas and reenacting in lieu thereof new provisions.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 177, 178, 183, 185 and 186 of the common school laws, the same being Sections 4501, 4502, 4502-a-4 and 4503, respectively of the Kentucky Statutes, Carroll's Edition, 1915, be and the same are hereby repealed and the following enacted in lieu thereof:

§ 1. Four Classes of Certificates. a. There shall be four grades of certificates issued to teachers of common schools: first, a teacher's diploma; second, a state teacher's certificate; third, an elementary certificate of the first grade; and fourth, an elementary certificate of the second grade.

b. Before any person shall be qualified to teach in any common school such person shall obtain one of these four grades of certificates or a certificate as now provided by law from the State University, State Normal Schools or other schools authorized by law to issue certificates.

§ 2. State Teacher's Diploma. a. State diploma may be issued by the State Board of Examiners after a personal examination held at the State capitol on the third Friday and Saturday of June and September, upon the subjects embraced in the common school course of study and also upon the science and art of teaching, psychology, English and American literature, algebra, higher arithmetic, geometry, physics and elementary Latin.

b. The laws governing the issuing of state certificates shall govern the issuance of state diplomas in all respects whatever, except that applicants for state certificates may take the examination in their respective counties on the same dates that examinations are held for state diplomas, as now provided by law.

c. The questions for examination for state diploma and state certificate shall be the same in all subjects common to both.

d. The purpose and standard of this diploma are to evidence a scholarship equivalent to the completion of a standard junior college course.

e. In order to be entitled to a state teacher's diploma, the applicant in addition to attaining on the required examination an average grade of not less than 85 per centum, the lowest grade on any subject being not less than seventy per centum, shall be at least twenty-four years old, shall have taught in the state at least two years, and shall present satisfactory evidence of unexceptional moral character.

f. A state diploma shall be good in all schools throughout the state maintained wholly or partly by the state, until revoked by the superintendent of public instruction, or until the holder shall fail for five consecutive years to be engaged in active school work. It shall qualify the holder for eligibility as candidate for the office of County Superintendent of Schools, and may for cause be revoked by any County Superintendent, subject to the approval of the State Board of Education, as far as it applies to his county, of which immediate information shall be given to the Superintendent of Public Instruction. Said diploma shall be impressed with the seal of the State Board of Examiners, and the fee of the applicant shall be five dollars.

§ 3. State Teacher's Certificate. a. A state teacher's certificate may be granted by the State Board of Examiners upon the recommendation of the County Board of Examiners, after a written examination held in the county of the applicant's residence, or on a personal examination before the State Board of Examiners at the state capitol, said applicant attaining an average grade of at least 85 per centum, the lowest grade upon any subject being not less than seven-

ty per centum, upon the grades embraced in the common school course of study, and also upon English and American literature, elementary algebra, higher arithmetic, and the science and art of teaching. In order to be entitled to a state certificate, the applicant in addition to passing the required examination, shall be at least twenty-one years old, and shall have had two years' experience in teaching. Examinations for state teacher's certificates shall be held in all counties of the state on the third Friday and Saturday of June and September each year, and the questions for the examinations shall be forwarded by the State Board of Examiners, with the questions for the June and September elementary examinations at the same time and in the same package, be preserved and opened at the same time as the questions for elementary certificates. The questions for examination for state certificates shall be identical with those for state diploma in all subjects common to both. The applicants for state certificates shall be examined on the same days upon which the applicants for elementary certificates are examined in June and September and immediately upon the close of the examination for state certificates, the County Superintendent shall collect the papers of each applicant for state certificate, preserve them from all inspection and immediately forward them to the State Board of Examiners with the recommendation that the certificate should or should not be granted. No applicant shall be examined for a state certificate unless the said applicant is known to the County Superintendent to possess an unexceptionable moral character and to possess the age and experience herein required.

b. The County Superintendent shall enclose with the answers a written statement, signed and sworn to by the Superintendent and two members of the County Board of Examiners that the examination has been held in strict accordance with the law and that the applicant has not either directly or indirectly received any assistance, and that the moral character of the applicant is unexceptionable. If the answers are deemed sufficient, and the recommendation of the County Board of Examiners is favorable, the State Board of Examiners shall issue a certificate which shall entitle the holder to teach in any school of the state for a period of eight years,

unless revoked by the Superintendent of Public Instruction, or unless the holder shall fail for two consecutive years to be engaged in active school work.

c. The purpose and standard of this certificate are to guarantee a scholarship equivalent to the completion of a four-year high school course.

d. At the expiration of the time for which it was granted, if it shall not have been revoked by the Superintendent of Public Instruction and if the holder shall not have failed for two consecutive years to be engaged in active school work, a state certificate may be renewed for another eight years by the State Board of Examiners, without additional fee, provided the County Board of Examiners for the county where the holder at the time resides recommends the renewal of said certificate, stating that the applicant is of good moral character and that said applicant has not failed for two consecutive years to be engaged in active school work. In no case shall any state certificate be valid for a period longer than sixteen years.

e. Any County Superintendent, may for cause, revoke a state certificate as far as it applies to his county, of which immediate information shall be given to the Superintendent of Public Instruction and be subject to his approval.

f. A state certificate shall be impressed with the seal of the State Board of Examiners and the fee charged the applicant shall be four dollars, besides the registration fee for forwarding the answers.

§ 4. Elementary Certificate of the First Grade. a. An elementary certificate of the first grade shall require an average grade of 85 per centum upon all subjects in the common school course, upon the science and art of teaching, including the state course of study for elementary schools; and the lowest grade on any subject shall not be less than seventy per centum.

b. The elementary certificate of the first grade shall be valid in any elementary public school in the state for a period of four years.

c. If at any time the holder of an elementary certificate shall be found incompetent, inefficient, or immoral, the

County Superintendent shall revoke the certificate of such person; and any teacher whose certificate has been revoked shall be entitled to receive payment for services only up to the time of this revocation.

d. No person shall be entitled to receive an elementary certificate of either grade who was not eighteen years of age prior to the date of the examination.

e. Nothing in this Act shall be construed to require any teacher now holding a state diploma, state teacher's certificate or elementary certificate to be re-examined until the expiration of said certificate.

f. A person having taught for eight consecutive years under first grade certificates may have the last one renewed for a period of four years by the State Superintendent, who shall write upon it "renewed," signed officially and give the date of such renewal. When a certificate has been renewed one time, the teacher shall again receive two first grade certificates as stated above before it can be renewed a second time.

g. The State Board of Examiners shall carefully prepare three series of questions for white and colored teachers on all of the branches necessary for elementary certificates of the first and second class, and shall enclose in envelopes such number of questions of each branch as the County Superintendent shall make requisition for at least twenty days before the examination, with the name of the subject written or printed across the seal thereof, and shall enclose the several envelopes of each series containing questions on each branch in a package which they shall seal and forward by registered mail to each County Superintendent, at least one week before the examination, designating on the outside of the package the month and the date for which same shall be used.

h. The County Superintendent shall carefully preserve the said package of questions under seal until the hour of examination; and the seal of the said package shall then be examined by the other examiners and the applicants for certificates and the package shall then be opened in their presence.

i. Immediately after examining the package of questions, the County Superintendent and each of the county examiners shall under his official oath, upon blanks furnished

for that purpose by the Superintendent of Public Instruction, give a separate certificate, with signatures, attested to by two reliable witnesses, that he had personally inspected said package, and whether he had found the same intact as provided herein, and forward the certificate to the Superintendent of Public Instruction on the same date.

j. There shall be two examinations held in each county of the state annually for state certificate, on the third Friday and Saturday in June and September, and on the same dates there shall be held in the State Superintendent's office at Frankfort, an examination for state diploma. There shall be three examinations held for elementary certificates for white and colored teachers in each county of the state on the third Friday and Saturday in May, June and September of each year.

k. The State Board of Examiners under the same rules and regulations laid down in Section (g) of this Act shall prepare questions for state certificate and shall enclose each branch in separate envelopes, sealed, with the name of subject written or printed thereon, and enclose all these separate envelopes in a package which shall be sealed and marked "examination questions for state certificate," and in June and September the package containing the elementary certificate questions and the state certificate questions shall be enclosed together in another package and registered to the County Superintendent at least one week before the date for the examination.

l. The examiners shall exclude from the room during the examination all persons other than applicants and see that the applicants are seated at the proper distance from each other and shall see that no assistance is given or obtained by any applicant during the examination, and no certificate shall be granted by the State Superintendent and the State Board of Examiners to any person who may either obtain or give assistance in the examination. It shall be the duty of the County Superintendent and the County Board of Examiners to disclose any fact in regard to any person or persons obtaining or giving assistance in the examinations. The County Superintendent or examiners shall pass on no question in the presence of any applicant for certificate. Failure on the part

of the County Superintendent or examiners to comply with the provisions of this section shall be a misdemeanor, punishable by a fine of not less than twenty-five dollars.

m. The examiners shall allot a reasonable time for the examination on each subject, taking the subjects in the following order: 1, Spelling; 2, Reading; 3, Writing; 4, Arithmetic; 5, Grammar; 6, English Composition; 7, Geography; 8, Physiology and Hygiene; 9, Civil Government; 10, United States History and History of Kentucky; 11, Theory and practice of teaching, including state course of study for elementary schools; 12, Agriculture; and shall collect the answers of all applicants when the time allotted has expired and no additional subjects shall be given until the answers to the previous subjects have all been collected.

n. The County Superintendent shall have two examiners as now provided by law, except they shall receive four dollars per diem as hereinafter provided; and he, together with the examiners shall conduct all examinations. The examinations for white and colored teachers shall be held in each county on the same date, on the same subject, and use the same questions, provided that the white teachers shall be in one room and the colored teachers in another room. When there is a greater number of white teachers than of colored teachers in any given examination, the County Superintendent and one examiner shall have charge of the white teachers and one examiner shall have charge of the colored teachers. When there is a greater number of colored teachers than there is of white teachers, the County Superintendent and one examiner shall have charge of the colored teachers, and the other examiner of the white teachers. Both the colored teachers and white teachers shall conform to the same rules and regulations as provided by law.

o. No person shall be allowed by the County Superintendent and County Board of Examiners to take an examination who indulges in drunkenness, profanity, gambling or licentiousness, and each person taking an examination shall be required to give satisfactory evidence of unexceptionable moral character to the County Superintendent and the County Board of Examiners. Failure on the part of any County Superintendent or Board of Examiners to comply with the pro-

visions of this section shall be a misdemeanor, punishable by a fine of not more than fifty dollars.

p. All elementary certificates shall be issued by the State Board of Examiners just as state certificates are issued. Every law relating to the preparation of questions, holding examinations, and grading papers for state diplomas and state certificates applies with equal force to elementary certificates.

q. Each applicant for an elementary certificate of either grade shall pay to the county superintendent a fee of two dollars. The fees received by the county superintendent from applicants for state and elementary certificates shall be forwarded to the State Superintendent who shall use it in defraying the expenses of the examinations. The amount received from all the counties for examination fees shall constitute one fund, from which the State Superintendent shall pay the County Examiners four dollars per diem for each of the two days' service rendered in the examination of teachers for elementary and state certificates. From the same fund the State Superintendent shall pay his State Board of Examiners and their assistants for the preparation of the questions and the grading of the manuscripts of the applicants for state and elementary certificates, a sum not to exceed ten dollars per diem, with actual and necessary traveling expenses. If after the County Examiners and the State Examiners with their assistants are paid there should remain a balance in said fund, it shall be covered into the treasury and credited to the school fund of the state.

§ 5. Elementary Certificate of the Second Grade. a. An elementary certificate of the second grade shall require an average grade of seventy-five per centum upon all the subjects in the common school course and upon the state course of study, and the lowest grade on any subject shall be not less than sixty per centum.

b. The issuance of elementary certificates of the second grade shall conform in all respects whatever to the laws relating to the issuance of elementary certificates of the first grade.

c. An elementary certificate of the second grade shall be valid in any elementary common school in the state for two years from the date of issue.

d. After July 1, 1921, an elementary certificate of the second grade shall not be issued twice to the same person.

§ 6. Grading Papers—Additional Examiners. a. For the purpose of grading the papers in examinations for certificates the State Superintendent shall have power to employ a sufficient number of competent persons to assist the State Board of Examiners in grading such papers so that the work may be well and promptly finished; and he shall have power to agree with such persons as to compensation, provided that no person so employed shall receive more than ten dollars per diem, and actual traveling expenses.

§ 7. Papers to Be Numbered. In all examinations for state certificates, and elementary certificates, the applicants shall be given numbers by the County Superintendent which numbers shall be placed upon the papers instead of names. The County Superintendent shall keep a record in his office of such numbers and names and forward a copy of the same in a separate envelope by registered mail to the State Superintendent. In grading papers and in certifying to the State Superintendent the results of such examinations, the numbers must be used; nor shall the names be disclosed to any one except to the persons making out the certificates. The purpose of this law shall be to insure that all papers shall be graded, and certificates issued upon merit alone. The violation of this law by any person whatever shall constitute a misdemeanor, and be punishable by a fine of not less than twenty-five dollars, nor more than one hundred dollars in each case. The only distinction that shall be made between the manuscripts of the white and colored teachers shall be that the numerals shall be used for the white teachers and letters of the alphabet in alphabetical order for the colored teachers.

§ 8. Professional Training. a. From the first day of July, one thousand nine hundred and twenty-two, applicants for an elementary certificate of the first grade, shall have had at least one year of high school work or its equivalent; and, in addition thereto, five weeks' study of professional

subjects in a state normal school or some other training school recognized by the State Board of Education.

b. From the first day of July, one thousand nine hundred twenty-four, such applicant must have had two years of high school work or its equivalent; and in addition thereto, ten weeks' study of professional work in school or schools as aforesaid.

c. From the first day of July, one thousand nine hundred twenty-six, such applicant shall have had four years of high school work or its equivalent, and in addition thereto, twenty weeks' study of professional work in a school or schools as aforesaid; provided that the State Board of Education shall have authority and power to make all the rules and regulations necessary to meet the emergencies growing out of the advancement made in Sub-sections a, b and c, of Section 8.

d. No person shall be admitted to examinations for the aforesaid certificate until he has satisfied the County Board of Examiners, or the State Board of Examiners by documentary evidence or otherwise that he has complied with the provisions of law.

§ 9. Common School Diploma. The County Board of Examiners shall hold certificates of the first class and assist the Superintendent in the examining and grading of applicants for common school diplomas as directed by the County Board of Education subject to the approval of the State Superintendent of Public Instruction.

§ 10. Science and Art of Teaching. After July 1, 1921, all examinations for a certificate on the theory and practice of teaching, or the science and art of teaching shall be based upon a suitable textbook selected by the State Board of Education. The questions on such examinations on said subject shall test the applicant's knowledge of school organization, discipline, program making, organization of lesson material, lesson planning and such other knowledge as the State Board of Examiners think the applicant should have.

§ 11. This Act shall not be construed to repeal any sections of law relating to the unlawful handling or peddling of examination questions, or Section 4426, Carroll's Kentucky Statutes, 1919 Edition.

§ 12. All laws and parts of laws in conflict herewith are hereby repealed.

§ 13. Whereas the schools of this state are on the verge of a collapse from a lack of a sufficient number of qualified teachers, and whereas, there is a great need for a complete reorganization of the schools, and a uniform method of certification of teachers, therefore, an emergency is hereby declared to exist and this bill shall become a law, on its passage and approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	J. M. Knott	H. G. Skiles
L. H. Ballard	Dr. S. D. Laughlin	S. G. Smith
S. M. Bennett	Hebron Lawrence	Wm. A. Stewart
J. M. Billiter	Joseph Lazarus	John T. E. Stites
Rodney G. Bryson	I. S. Mason	John W. Swope
W. T. Carner	A. J. McCandless	J. Mack Thompson
J. F. Carr	R. L. McFarron	C. B. Truesdell
T. L. Caudel	H. C. McLellen	John L. Trumbo
Charles M. Ciarlo	Harry J. Meyers	J. Wood Vance
A. S. Cooper	John T. Murphy	Fred C. VanHoose
H. N. Dean	Estill W. Neel	Daniel Vose

Dr. T. H. Gamblin	T. C. Pryse	A. M. Wash
A. F. Hanberry	B. F. Reynolds	J. S. Webb
E. C. Hardin	J. L. Richardson	Dr. T. R. Welch
Talbert Holliday	Sherman Robbins	Gladstone Wesley
A. R. Hudson	B. A. Roth	W. G. Wheeler
Adam W. Huff	Chas. R. Scott	V. M. Williamson
R. O. Huntsman	W. P. Scott	W. N. Winn
Henry Kaufman	E. E. Shannon	—58
W. L. Kimbrough	Dr. B. F. Shields	

Those who voted in the negative were:

Chas. A. Nelson —1

Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 167. An Act repealing Sub-section 1 of Section 4521-a, Kentucky Statutes, Carroll's Edition, 1915, being the same as Section 213 of Chapter XVII of the common school law of 1918, and also Section 216 of the common school law, 1918, and enacting in lieu thereof new provisions relating to the compulsory attendance of pupil children in the common schools of this State.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The County Board of Education of each of the several counties shall appoint with the approval of the County

Superintendent, at least one attendance officer, male or female, who shall give his or her entire time to the duties of office; and such additional attendance officers may be appointed as the County Board of Education may deem necessary. The compensation of such attendance officer or officers shall be fixed by the County Board of Education and paid from the county school fund.

§ 2. Every parent, guardian or other person residing within the boundaries of any county school district and having the custody, control or supervision of any child or children to be enrolled in and to attend regularly some common, private or parochial school each school year for the full term of such school, provided that in the case of a private or parochial school the term shall not be for a shorter period in each year than the term of the common school of the district of the child's or children's residence, and that the teacher or teachers and the course of study of such private or parochial school shall have been approved by the State Board of Education, and that reports of the attendance of all children enrolled in such private or parochial school shall be submitted by such private or parochial school in the same manner as required of common schools; and provided further, that the provisions of this section shall not apply to any child who is excused by the County Board of Education upon its being shown to the satisfaction of such board by a certificate of the public health officer of the county that such child is not in proper mental or physical condition to attend school; and provided further, that the provisions of this section shall not apply to any child who has satisfactorily completed the full course of instruction offered by the public schools of the district where he resides.

§ 3. Every parent, guardian or other person in any city of the first, second, third or fourth class, having the custody, control or supervision of any child or children between the ages of seven and sixteen years, shall cause such child or children to be enrolled in and to attend regularly some public, private or parochial school each year for the full term of such school, provided that in the case of a private or parochial school the term shall not be for a shorter period

in each year than the term of the public school of the city of the child's or children's residence, and that the teacher or teachers and the course of study of such private or parochial school shall have been approved by the State Board of Education, and that reports of the attendance of all children enrolled in such private or parochial school shall be submitted by such private or parochial school in the same manner as required by public schools.

Provided, further, that this section shall not apply to any child who is excused by the Board of Education or school board of the city in which the parent or guardian or custodian of such child resides, upon its being shown to the satisfaction of the superintendent or chief executive officer of schools by certificate of the public health officer, which certificate shall be filed in the office of the superintendent of schools, that such child is not in proper physical or mental condition to attend school.

Provided, further, that the provisions of this Act shall not apply to any child between fourteen and sixteen years of age to whom an employment certificate shall have been issued in accordance with the provisions of the law regulating the employment of children and who is lawfully and steadily employed.

Provided, further, that every child between fourteen and sixteen years of age to whom an employment certificate shall have been issued and who is lawfully and steadily employed and who has not satisfactorily completed the course of study corresponding to the first eight years of the public schools, shall attend a continuation school when established for not less than four nor more than eight hours each week throughout the regular term of the public schools, between the hours of 8 A. M. and 5 P. M., but in no case on Saturday afternoon or on Sunday.

§ 4. It shall be the duty of the teacher at the end of each week to report the name and the age of each and every child residing in her school sub-district who fails to attend school as herein prescribed to the attendance officer immediately to investigate said case or cases and if it be neglect or refusal on the part of the person who has such child under his control

to report said case or cases to the nearest court having jurisdiction of the same, and it shall be the duty of said court immediately to issue his warrant against the person having control of such child who fails or refuses to send said child to school and said court shall proceed to try said case as other criminal cases are tried. Any person who has a child under his control and who fails to comply with any of the provisions of this section shall be guilty of a misdemeanor and shall be fined not less than five ($5.00) dollars for each offense.

§ 5. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	Dr. B. F. Shields
L. H. Ballard	Dr. S. D. Laughlin	H. G. Skiles
S. M. Bennett	Hebron Lawrence	S. G. Smith
J. M. Billiter	Joseph Lazarus	R. Lee Stewart
Rodney G. Bryson	R. C. Marcum	Wm. A. Stewart
W. T. Carner	I. S. Mason	John T. E. Stites
J. F. Carr	A. J. McCandless	T. R. Stultz
T. L. Caudel	R. L. McFarron	John W. Swope
Charles M. Ciarlo	H. C. McLellen	C. B. Truesdell

A. S. Cooper	Harry J. Meyers	John L. Trumbo
P. A. Day	Estill W. Neel	J. Wood Vance
H. N. Dean	Chas. A. Nelson	Fred C. VanHoose
Dr. T. H. Gamblin	J. L. Richardson	Daniel Vose
A. L. Hamilton	Sherman Robbins	A. M. Wash
A. F. Hanberry	Lee Rogers	J. S. Webb
E. C. Hardin	B. A. Roth	Gladstone Wesley
Talbert Holliday	Chas. R. Scott	W. N. Winn
Adam W. Huff	W. P. Scott	—55
R. O. Huntsman	E. E. Shannon	

Those who voted in the negative were:

J. M. Knott	Dr. T. R. Welch	W. G. Wheeler
J. Mack Thompson		—4

Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

Senate Bill No. 53. An Act to amend Section 965 Kentucky Statutes, fixing the time for holding Circuit Courts in this Commonwealth.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the time for holding Courts in the twenty-fourth judicial district, the thirty-second judicial district, the twenty-third judicial district and the first judicial district in Kentucky, shall be as follows:

Twenty-fourth Judicial District: Paintsville in Johnson County; First Monday in January and continue 24 juridical days; first Monday in July, and continue 24 juridical days, fourth Monday in October and continue 24 juridical days.

Inez in Martin County: First Monday in April, and continue 12 juridical days, first Monday in August and continue 12 juridical days, fourth Monday in November and continue 12 juridical days.

Thirty-second Judicial District: In Carter County, at Grayson, the first Monday in April, third Monday in July, and fourth Monday in November, and hold 30 juridical days at each term, except the November term, which shall be 24 juridical days; in Lawrence County at Louisa, the first Monday in February, the first Monday in June, and the third Monday in September, and hold 24 juridical days at each term; in Elliott County at Sandy Hook, the second Monday in March, the first Monday in July, and the second Monday in November, and hold 12 juridical days at each term.

Twenty-third Judicial District: Estill County, at Irvine, third Mondays in January, April and September, 12 juridical days each.

Lee County at Beattyville, second Mondays in February, May and October, 18 juridical days each.

Breathitt County at Jackson, second Mondays in March, June and November, 30 juridical days each.

First Judicial District: Fulton County at Hickman or Fulton, as provided by law, and as the business of the Court may require, on the third Monday in January, 12 juridical days. On the second Monday in April, 6 juridical days for civil business only. On the first Monday in May, 12 juridical days. On the third Monday in September, 18 juridical days. Hickman at Clinton, on the first Monday in February, 12 juridical days. On the third Monday in May, 12 juridical days. On the second Monday in October, 18 juridical days.

Carlisle County, at Bardwell, on the third Monday in February, 12 juridical days. On the first Monday in June, 12 juridical days. On the first Monday in November, 12 juridical days.

Ballard County, at Wickliffe, on the first Monday in January, 12 juridical days. On the third Monday in April, 12 juridical days, on the fourth Monday in August, 18 juridical days. Graves County, at Mayfield, on the first Monday in March, 30 juridical days, on the third Monday in June, 18 juridical days. On the third Monday in November, 36 juridical days.

Owing to the fact that the terms of court of the several circuit courts of the Big Sandy Valley Counties, as now fixed by law, are conflicting and cause great inconvenience to litigants and their attorneys, an emergency is declared to exist and this act shall take effect and be in force on and after May first, 1920.

All Acts and parts of Acts in conflict herewith, are hereby repealed.

Mr. Huff offered the following amendment, viz.:

Amend Senate Bill 53 in the House, by striking the first 3 lines thereof and inserting in lieu thereof the following, that the time for holding court in the twenty-fourth, thirty-second, twenty-third, first and thirty-third judicial districts shall be as follows:

And also amend said bill by adding to line 42 after the word days, a new paragraph to be as follows:

Thirty-third judicial district—Leslie County at Hyden, first Monday in February, and continue twenty juridical days, and first Monday in June and continue eighteen juridical days and second Monday in November and continue eighteen juridical days.

Owsley county, at Booneville, first Monday in March, fourth Monday in June and continue twelve juridical days each, and first Monday in December and continue twelve juridical days.

Perry County, at Hazard, first Monday in January, May and October and continue twenty-four juridical days each.

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

S. M. Bennett
J. M. Billiter
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
A. S. Cooper
P. A. Day
Dr. T. H. Gamblin
J. W. Geveden
A. F. Hanberry
E. C. Hardin
A. R. Hudson
Robt. Humphreys
R. O. Huntsman
Henry Kaufman
Griffin Kelly
W. L. Kimbrough
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
R. C. Marcum
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
John T. Murphy
Estill W. Neel
B. F. Reynolds
J. L. Richardson
Sherman Robbins
B. A. Roth
Chas. R. Scott
E. E. Shannon
Dr. B. F. Shields
H. G. Skiles
S. G. Smith
R. Lee Stewart
John T. E. Stites
T. R. Stultz
John W. Swope
J. Mack Thompson
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
Daniel Vose
A. M. Wash
J. S. Webb
Dr. T. R. Welch
Gladstone Wesley
V. M. Williamson
W. N. Winn
—52

Resolved That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the day, a bill of the following title, viz.:

House Bill No. 518. An Act to amend and re-enact Section 3105 of the Kentucky Statutes, 1915 Edition, relating to public improvement in cities of the second class.

Mr. Huntsman moved to substitute Senate Bill No. 333 which had passed the Senate and is in the Orders of the Day in the House.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3105 of the Kentucky Statutes, 1915 Edition, relating to the construction of sewers and public improvements in cities of the second class, be and the same is hereby amended and re-enacted so when amended said section will read as follows:

Section 3105—Construction. Cost. How Apportioned. Limit. Collection. Lien. The General Council or Board of Commissioners shall have power to construct sewers along or under any of the streets, alleys, or highways of the city, and may assess the entire cost thereof, including intersections, upon the lots and lands in the neighborhood of said sewers which may be benefited thereby, according to the benefits received, and may levy a special local tax on such lots and lands for the cost of such improvements so assessed thereon, which tax shall be due and payable at the office of the city treasurer upon completion of the work and acceptance thereof by the

General Council or Board of Commissioners, and no property shall be exempt from such improvement tax. In every case the General Council or Board of Commissioners shall, by ordinance or resolution, fix and determine what lots and lands are benefited thereby, and fix and determine the amount of tax to be levied upon the several lots or lands so benefited: Provided, that where the cost of a sewer does not exceed the sum of two dollars per abutting foot of the property bounding or abutting upon the streets, alleys or highways in, under or along which such sewer may be constructed, then such bounding or abutting property shall be deemed the property benefited thereby, and said cost shall be apportioned and assessed equally on such abutting lots or lands according to the feet abutting. No ordinance for the construction of a sewer at the cost of the abutting or benefited property owners, shall be passed until a resolution declaring such construction a necessity and setting out in general terms the property subject to the payment of the cost of same, shall have passed by a two-third vote of the members elect of each board of General Council, or the Board of Commissioners, and its determination as to the necessity of any such sewer shall be final. All property benefited by such improvement belonging to the city shall be considered and assessed as the property of individuals and the assessment thereon shall be paid by the city out of the general fund of the city. The tax provided for herein shall be a lien upon such abutting or benefited property, as the case may be, from the time of the publication of the ordinance levying such tax, and the same shall bear six per cent per annum interest from such time until paid, and if not paid within thirty days shall have added thereto a penalty of ten per cent of the tax. Provided, there shall be no interest charged on any tax paid within such thirty days. The lien herein provided for shall take precedence over all other liens, whether created prior or subsequent thereto, except state, county and municipal taxes and prior improvement taxes, and shall not be defeated or postponed by any private or judicial sale or by any mortgage or by any error or mistake in the description of the property or in the name of the owners thereof. Nor shall any error in the proceedings of the General Council or the Board of Commission-

ers exempt any property from the lien for, or payment of, such taxes after the work has been done and accepted as provided in this Section; but the General Council or the Board of Commissioners, or the courts in which such suits are pending shall make all corrections, rules and orders to do justice to all parties concerned; and in no event shall the city be liable for any part of the cost of such improvement. Such liens may be enforced as other liens on real estate, by action brought in the name of the city or the contractor entitled thereto, and, in any such action, an allegation in substance that the improvement had been made and the work accepted pursuant to and by ordinances of the city duly passed in accordance with law, shall be a sufficient pleading of the ordinances and proceedings under which the work was done and accepted without setting out the same in full.

(a) The City Auditor shall keep in the office, in a book to be provided for that purpose, a record of all assessments of local taxes as provided in this Act, showing the name and portion of the street on which the improvement is made, the character of the improvements and the names of the persons against whose property the assessments are made. Such record shall be subject to inspection by any person desiring to inspect the same, and shall be conclusive evidence of notice, to all persons, of such assessments and the liens created thereby. Upon payment of any improvement tax to the treasurer, he will report the same to the Auditor, who will make proper entry thereof in the record book herein provided for, whereupon the lien of such tax shall stand released. All local taxes paid into the city treasury shall, from time to time, be paid over to the contractor, or other persons entitled thereto, upon order of the General Council or Board of Commissioners. The Auditor shall carefully keep a separate account of the fund arising from assessments for each particular improvement, and no proceeds arising from assessments of one improvement shall be diverted to the payment for any other improvement whatever. The proceeds shall in each case constitute a separate special fund for the payment of the contractor for the particular work for which the assessment is made, or for the security and payment of improvement bonds, if any are issued, as hereinafter provided for such improvement.

(b) Except as otherwise provided herein, when any such sewer shall have been constructed and the contract therefor completed, the same shall be accepted and the cost thereof apportioned to and assessed upon the abutting and benefited lots and lands, and a local tax levied thereon in all respects in the manner and of the same effect as provided in Sections 3099 and 3100 of the Kentucky Statutes with reference to the acceptance of street improvements, the apportionment of that part of the cost thereof payable by the abutting property owners and the levy of the tax therefor. Such taxes may be collected and the lien therefor enforced in all respects as provided in said Section 3100.

(c) The General Council or Board of Commissioners may provide for such construction of sewers on the ten year or other annual payment plan and may issue and sell bonds in anticipation of the collection of the special local taxes levied therefor in all respects in the manner and of the same effect as provided in Sections 3101 and 3102 of the Kentucky Statutes relating to the improvement of streets on the ten year plan and issuing bonds to provide funds for the payment therefor.

(d) The General Council or Board of Commissioners may provide for the construction of sewers out of the general fund of the city.

§ 2. All Acts or parts of acts in conflict with this act are hereby repealed.

§ 3. Whereas, cities of the second class in this Commonwealth are under the immediate necessity of constructing sewers in certain portions of the territory thereof, an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its approval by the Governor.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Joseph Lazarus	John T. E. Stites
L. H. Ballard	R. C. Marcum	T. R. Stultz
S. M. Bennett	I. S. Mason	John W. Swope
J. M. Billiter	A. J. McCandless	J. Mack Thompson
Rodney G. Bryson	R. L. McFarron	J. H. Thompson
W. T. Carner	Harry J. Meyers	C. B. Truesdell
J. F. Carr	John T. Murphy	John L. Trumbo
Charles M. Ciarlo	Estill W. Neel	J. Wood Vance
A. S. Cooper	Chas. A. Nelson	Fred C. VanHoose
P. A. Day	T. C. Pryse	Daniel Vose
A. L. Hamilton	B. F. Reynolds	A. M. Wash
A. F. Hanberry	J. L. Richardson	J. S. Webb
Talbert Holliday	B. A. Roth	Dr. T. R. Welch
Adam W. Huff	Chas. R. Scott	Gladstone Wesley
R. O. Huntsman	Dr. B. F. Shields	W. G. Wheeler
Griffin Kelly	H. G. Skiles	V. M. Williamson
W. L. Kimbrough	S. G. Smith	W. N. Winn
J. M. Knott	R. Lee Stewart	—55
Hebron Lawrence	Wm. A. Stewart	

Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 221. An Act to amend and re-enact Section 3 of Chapter LXXII of the Acts of the General Assembly of 1918, relating to fiscal court in each county of the Commonwealth having therein a city of the first class, and authorizing the fiscal court in such county to appoint a clerk and deputy and a stenographer and to fix their bonds, salaries and prescribe their duties.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3 of Chapter LXXII of the Acts of the General Assembly of 1916 be, and the same is, hereby amended and re-enacted so that it will read as follows:

The fiscal court of each county in this Commonwealth in which there is located a city of the first class, shall have a clerk, and may have a deputy clerk and may employ a stenographer, all of whom shall attend its sessions and keep a full and correct record of all the proceedings of the court, together with a complete index, and who in addition, shall perform such duties as may be required of them by the court.

The said fiscal court shall, on or before the first day of July, 1920, and every four years thereafter, appoint a clerk who shall hold his office for a term of four years and until his successor is appointed and qualified. The first term commencing on the first day of July, 1920.

Before entering upon his duties as such clerk he shall take the oath of office prescribed by the Constitution, and shall execute bond to be approved by the fiscal court, said bond to be similar to that required by law to be given by clerks of other courts and shall be for and in such sums as the fiscal court may, from time to time, determine. He shall receive an annual salary not exceeding twenty-seven hundred

($2,700) dollars, which salary shall be fixed by the court, and paid in monthly installments out of the county levy.

With the consent and approval of the court the clerk may appoint a deputy, who shall qualify by taking the Constitutional oath. The salary of the deputy clerk and the stenographer shall be fixed by the court and paid in the same way as the salary of the clerk, but neither salary of the deputy clerk nor the stenographer shall exceed twelve hundred ($1,200) dollars per annum.

§ 2. The fiscal court may remove said clerk, deputy clerk and stenographer at any time.

§ 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	R. O. Huntsman	S. G. Smith
S. M. Bennett	Hebron Lawrence	H. A. Spillman
J. M. Billiter	Joseph Lazarus	Wm. A. Stewart
Rodney G. Bryson	R. C. Marcum	John T. E. Stites
W. T. Carner	I. S. Mason	T. R. Stultz
J. F. Carr	R. L. McFarron	John W. Swope
T. L. Caudel	H. C. McLellen	J. Mack Thompson

Charles M. Ciarlo	Harry J. Meyers	C. B. Truesdell
A. S. Cooper	John T. Murphy	John L. Trumbo
P. A. Day	Estill W. Neel	J. Wood Vance
H. N. Dean	Chas. A. Nelson	Fred C. VanHoose
J. W. Geveden	T. C. Pryse	Daniel Vose
A. L. Hamilton	B. F. Reynolds	A. M. Wash
A. F. Hanberry	J. L. Richardson	J. S. Webb
E. C. Hardin	Sherman Robbins	Gladstone Wesley
Talbert Holliday	Chas. R. Scott	R. E. Wilborn
A. R. Hudson	Dr. B. F. Shields	V. M. Williamson
Adam W. Huff	H. G. Skiles	W. N. Winn

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Those who voted in the negative were:

J. M. Knott	A. J. McCandless	Dr. T. R. Welch

—3

Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 199. An Act regulating rates of toll allowed to be charged by all turnpike companies now operating in the State of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

On all turnpikes now owned or that may hereafter be owned, wholly or in part by individuals or corporations in

this State, tolls not exceeding the following rates may be charged in every section of five miles which has been completed, to-wit: For a single horse, mare, mule or jennet in addition, one cent, if the same be not hitched to any vehicle; for twenty sheep or hogs, five cents; and for twenty cattle, ten cents; and so on in proportion for a greater or less number; for a riding carriage whether two or four wheeled, if the road be macadamized road or brick road or some other hard surfaced road, five cents; and for a cart or wagon if the tires of the wheels are less than four inches wide, three cents for each animal drawing it; for automobiles, five cents and for motorcycles, two and one-half cents; and for motor driven vehicles, five cents. For a fractional part of a section, tolls may be received bearing the same proportion to the tolls for a full section that the said fractional part bears such full section. Provided, that when the toll from the fractional part would be less than one cent they may charge and receive one cent. Provided, further, that all coaches, carriages, vehicles and horses used by persons going to and from divine worship, funerals, schools and grist mills for the purpose of having grinding done, shall be exempt from tolls.

All Acts and parts of Acts in conflict herewith are hereby repealed.

The Committee on Rules offered the following substitute, viz.:

An Act regulating rates of toll for automobiles allowed to be charged by all turnpike companies now operating in the State of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

On all turnpikes now owned or that may hereafter be owned wholly or in part by individuals or corporations in this State, tolls for automobiles not exceeding the following rates may be charged in every section of five miles which has been completed, to-wit: For each automobile of twenty-five horse power or under, ten cents; for each automobile over twenty-

five horse power, fifteen cents; for each automobile truck of one and one-half tons capacity or under, ten cents; for each automobile truck over one and one-half tons capacity and under four tons capacity, twenty cents; for each automobile truck of four tons capacity and under six tons capacity, thirty-five cents; for each automobile truck of six tons capacity and over, sixty cents, and fifty cents for each ton in addition; for each automobile bus carrying passengers for hire, in addition to the rates herein fixed, one cent for each passenger carried.

For a fractional part of a section, tolls may be received bearing the same proportion to the tolls for a full section that the said fractional part bears such full section. Provided, that when the toll from the fractional part would be less than one cent they may charge and receive one cent. Provided, further, that all coaches, carriages, vehicles and horses used by persons going to and from Divine worship, funerals, schools and grist mills for the purpose of having grinding done, shall be exempt from toll.

All Acts and parts of Acts in conflict herewith are hereby repealed.

Said substitute was adopted.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	J. M. Knott	Dr. B. F. Shields
S. M. Bennett	Dr. S. D. Laughlin	H. G. Skiles
J. M. Billiter	Hebron Lawrence	S. G. Smith
Rodney G. Bryson	Joseph Lazarus	Wm. A. Stewart
W. T. Carner	R. C. Marcum	John T. E. Stites
J. F. Carr	I. S. Mason	T. R. Stultz
T. L. Caudel	A. J. McCandless	John W. Swope
Charles M. Ciarlo	R. L. McFarron	J. Mack Thompson
A. S. Cooper	H. C. McLellen	C. B. Truesdell
P. A. Day	Harry J. Meyers	John L. Trumbo
H. N. Dean	John T. Murphy	J. Wood Vance
Dr. T. H. Gamblin	Estill W. Neel	Fred C. VanHoose
A. L. Hamilton	Chas. A. Nelson	Daniel Vose
A. F. Hanberry	B. F. Reynolds	A. M. Wash
E. C. Hardin	J. L. Richardson	J. S. Webb
R. O. Huntsman	Sherman Robbins	Dr. T. R. Welch
Henry Kaufman	Chas. R. Scott	Gladstone Wesley
Griffin Kelly	W. P. Scott	W. G. Wheeler
W. L. Kimbrough	E. E. Shannon	W. N. Winn

—57

Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 512. An Act to amend and re-enact Section 4527 Kentucky Statutes, Carroll's 1918 Edition.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4527 Kentucky Statutes, Carroll's 1918 Edition be, and the same is, hereby amended and re-enacted so that said section, when so amended and re-enacted, will read as follows:

"Sec. 4527. Trustees. Appointment. Term of Office. Powers. Vacancies. Treasurer. The State Normal School for Colored Persons (See Section 4527a), established by an Act of the General Assembly, approved May eighteenth, one thousand eight hundred and eighty-six, shall hereafter be under the control and supervision of a board of trustees, composed of the Superintendent of Public Instruction, who shall be ex-officio chairman of the board, and three intelligent and discreet persons, to be appointed by the Governor, subject to the approval of the Senate, who are hereby constituted a body corporate, with power to sue and be sued, plead and be impleaded, and to hold in trust all funds and property now owned by said school, or which may hereafter be provided for it, and shall be known and designated as "The Board of Trustees of the Kentucky State Normal School for Colored Persons" (see Section 4527a); provided, That no two appointive members of the said board shall be residents of any one county.

The term of office for the three members appointed by the Governor shall begin on the first day of July, one thousand nine hundred and eighteen, and one member thereof shall retire, as may be determined by lot, at the end of one year thereafter, one in two years and the other in three years; their successors shall be appointed by the Governor for a term of three years; they shall be subject to removal by the Governor for cause, and he is authorized to fill all vacancies occurring by death, resignation or otherwise.

Said Board shall adopt such rules for the government of said school not inconsistent with law, as they deem proper, and shall supervise all its interests, provide for all its wants, and require formal reports of the actual condition of the school in every regard. They shall biennially, beginning on the first day of July, 1918, elect some suitable person outside

of their own number as treasurer, who, before entering on his duty, shall give in bond such a sum as they may prescribe, and they shall agree with him as to compensation; provided that in no case shall such compensation exceed one hundred dollars per annum; provided that no member of the Board of Trustees of the State Normal School for Colored Persons shall draw any salary for his services as such, but shall be paid his necessary traveling expenses and hotel bills in going to and from each meeting of the Board and other legitimate expenses, to be paid out of any money now appropriated by the State of Kentucky for said State Normal School for Colored Persons, said expenses to be paid after an itemized account is filed as is now required by law for similar expenses against the State.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	Dr. B. F. Shields
L. H. Ballard	Griffin Kelly	S. G. Smith
S. M. Bennett	W. L. Kimbrough	R. Lee Stewart
J. M. Billiter	J. M. Knott	Wm. A. Stewart
Rodney G. Bryson	Dr. S. D. Laughlin	John T. E. Stites
W. T. Carner	Hebron Lawrence	T. R. Stultz

J. F. Carr	Joseph Lazarus	John W. Swope
T. L. Caudel	I. S. Mason	J. Mack Thompson
Charles M. Ciarlo	A. J. McCandless	John L. Trumbo
A. S. Cooper	R. L. McFarron	J. Wood Vance
P. A. Day	H. C. McLellen	Fred C. VanHoose
Dr. T. H. Gamblin	Harry J. Meyers	Daniel Vose
J. W. Geveden	John T. Murphy	A. M. Wash
A. L. Hamilton	Chas. A. Nelson	J. S. Webb
A. F. Hanberry	J. L. Richardson	Dr. T. R. Welch
E. C. Hardin	Sherman Robbins	Gladstone Wesley
Talbert Holliday	Lee Rogers	V. M. Williamson
Adam W. Huff	B. A. Roth	W. N. Winn
R. O. Huntsman	Chas. R. Scott	—56

Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed House Bill No. 412, "An Act to establish an Athletic Board of Control and prescribing the duties and power of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this State, providing for the payment of a tax and license, and prohibiting any betting or gaming at any such contest, and providing of penalty for violation of this Act."

Ordered, that said bill be enrolled.

Also that it had passed Senate Bill No. 324, "An Act to amend and re-enact Section 518, Civil Code of Practice, relating to the modification of judgment after term by court rendering it."

Ordered, that said bill be printed and referred to the Committee on Rules.

A message was received from the Senate announcing that it had passed Senate Bill No. 369, "An Act providing for the manner of the making of all annual and biennial reports of the various departments, commissions and agencies of the State government, as now required by law,, giving to the State Printing Commissioners power to determine what reports and what portions thereof shall be printed and distributed at public expense."

Senate Bill No. 69, "An Act to repeal Chapter LXXXV-a, Section 2651-a of Carroll's Statutes, entitled, "Merchandise —To Regulate Sale of in Bulk," and to enact a law in lieu thereof to regulate the sales in bulk of stocks of merchandise or fixtures or stocks and fixtures and to prescribe penalties for the violation thereof."

Ordered, that said bills be printed and referred to the Committee on Rules.

Mr. J. H. Thompson moved that the House do now adjourn.

Mr. Hudson moved to amend said motion by allowing the Enrollment Committee to report before adjournment.

Then the motion by unanimous consent was withdrawn.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 477. An Act to amend and re-enact Section 518, Civil Code of Practice, relating to the modification of judgment after term by court rendering it.

Mr. Huntsman moved that the consideration of said bill be deferred until tomorrow.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 52. An Act to require corporations, associations, partnerships or individuals employing ten or more persons, and issuing script or check, to redeem same in lawful money of the United States upon the third Monday in each calendar month.

Mr. Vose, of the Committee on Rules, moved that the consideration of said bill be indefinitely postponed.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 269. An Act to amend and re-enact Sections 4426-a-2, 4448, 4458 Kentucky Statutes, Carroll's Edition, 1918, relating to schools, sub-districts and local taxation.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 4426-a-2, 4448, 4458, Kentucky Statutes, Carroll's Edition, 1918, be amended and re-enacted so as to read as follows:

Section 4426-a-2 (1) Within thirty days after this Act goes into effect the county superintendent of schools, the county judge and the county attorney in each county of the Commonwealth shall meet at the court house of their respective counties, upon the call of the county superintendent of schools and shall divide each county school district, as provided in Section 1, into educational division containing as nearly as possible an equal number of children of school age, including both white and colored children, as shown by the

last census of school children and in each county the said officers may make, as may seem expedient, either four, six or eight of such educational divisions, and in fixing the boundaries of said educational divisions as they shall be made to follow, as nearly as practicable, the boundaries of existing school districts for white children.

(2) They shall have the power to change the boundaries of educational divisions whenever such change becomes necessary.

(3) The county judge, county superintendent of schools and county attorney shall then subdivide each of said educational divisions into school districts, following as nearly as practicable the boundaries of existing school districts for white children. Provided, that any graded common school districts that may exist in any educational division or that may hereafter be established according to law, whether operating under special charter or established by popular vote, as provided for in the laws relating to the graded common schools, and the school district now operating within municipal districts established and corporated under special charter and supplementing the State School Fund by local tax of not less than twenty cents on each one hundred dollars of assessed property, shall retain their present boundaries and be exempt from the provisions of this Act.

(4) The provisions of this Act shall not apply to any graded school district created by special Act and having a school fund other than provided by general law.

(5) The boundary of any such school subdistrict as above fixed shall include all children, both white and colored, residing in said subdistrict and shall not include, except in case of emergency fewer than fifty white children of school age, nor in any case fewer than twenty-five children, subject to the approval of the State Board of Education. But if any subdistrict as now laid off should fall below twenty-five such children it may be permitted to remain, provided, the citizens of said subdistrict pay into the County Board of Education yearly a sum of money equal to the deficiency caused by the drop below the twenty-five pupil children required above.

Funds for the above purpose may be secured by donation, or by local taxation to be voted and levied as other local taxation.

Section 4448. When a family shall have any infection or contagious disease no member of such family shall attend any school until the trustees thereof shall allow them to do so, and during the prevalence in the district of dangerous epidemics, the trustees shall order the school closed, but the district shall not be required to lose the time of this forced suspension unless so stipulated in the contract.

Section 4458 (1) Upon the petition of ten legal voters of any school subdistrict the division Board of Education of any division shall submit to the legal voters of said subdistrict the question whether or not a tax shall be levied upon the taxable property of such subdistrict in any school year for "Local School Purposes" an ad valorem tax may be so voted not to exceed twenty-five cents on each one hundred dollars of taxable property.

(2) Such questions shall be voted on at any time after legal notice.

(3) At least fifteen days' notice that such question will be voted on at any school election shall be given, written or printed hand bills, posted up in at least five of the most public places in such district. Said notices shall set forth clearly the amount and object of the tax proposed to be raised and the time and place of taking the vote. Said notices must be signed by the county superintendent, the chairman and the secretary of the Division of Education of the division in which subdistrict lies. Such notices shall be posted, by the subdistrict trustee of the subdistrict in which the proposed tax is to be voted on, or such other person or persons as the division board may appoint.

(4) The returns of said election shall be made to the chairman of the division Board of Education and said board shall meet within seven days after such an election and canvass the returns, and if it be ascertained that a majority vote in such district was cast in favor of such tax, said board shall, on its minute book, enter an order levying such tax in such subdistrict and it shall be the duty of the sheriff of the county

on his official bond to collect such tax and hold the same subject to the order of the County Board of Education for the benefit of the subdistrict voting such tax, and said sheriff shall receive the same compensation therefor as for collecting State and county revenue.

(5) When lines dividing school subdistricts pass through the lands of any person dividing the same, the tax shall be levied and paid to the district where the homestead may be situated.

Mr. Geveden offered the following substitute, viz.:

An Act relating to emergency schools and providing for the maintenance of same.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No emergency school created under the provisions of this Act shall contain fewer than twenty-five pupil children except as hereinafter provided.

§ 2. Whenever it shall appear from the census report that any sub-district which has been maintained as an emergency school with twenty-five or more pupil children has fallen below the necessary twenty-five required in this Act, then the County Superintendent shall so inform the sub-district trustee whose duty it shall be to notify his district that said district has fallen below the required number of twenty-five pupil children necessary to maintain an emergency school. Said emergency school shall be discontinued unless the people residing within the boundaries of said emergency district shall by donation, contribution or taxation raise a sum sufficient to meet the requirements of the County Board of Education in maintaining the said school. Said requirements shall in no event be less than the amount paid per pupil child by the county and State for such schools. The amount so paid shall in no event be less than an amount sufficient when supplemented by the State and county funds to make that district equal to twenty-five pupil children.

§ 3. Whenever twenty-five per cent of the local voters residing in such district shall petition the County Board asking that the question, "Whether or not the district will tax itself to raise the funds required by Section 2 of this Act," it shall be the duty of the County Board of Education to order an election to be held in said sub-district. The election may be held at any time provided that the County Board of Education shall always give fifteen days notice before the holding of said election and shall make all rules and regulations governing same.

All laws and parts of laws in conflict herewith are hereby repealed.

Whereas, many emergency districts in the State are in eminent danger of losing their standing in the school system, therefore an emergency is declared to exist and this Act shall take effect immediately after its passage by both Houses of the Legislature and after it has been signed by the Governor.

Said substitute was adopted.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended by substitute.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	W. L. Kimbrough	R. Lee Stewart
L. H. Ballard	J. M. Knott	Wm. A. Stewart
S. M. Bennett	Dr. S. D. Laughlin	John T. E. Stites
J. M. Billiter	Hebron Lawrence	T. R. Stultz
Rodney G. Bryson	Joseph Lazarus	John W. Swope
W. T. Carner	R. C. Marcum	J. Mack Thompson
J. F. Carr	A. J. McCandless	J. H. Thompson
T. L. Caudel	R. L. McFarron	C. B. Truesdell
Charles M. Ciarlo	H. C. McLellen	John L. Trumbo
A. S. Cooper	Harry J. Meyers	J. Wood Vance
P. A. Day	John T. Murphy	Fred C. VanHoose
H. N. Dean	Estill W. Neel	Daniel Vose
Dr. T. H. Gamblin	Chas. A. Nelson	A. M. Wash
J. W. Geveden	B. F. Reynolds	J. S. Webb
A. F. Hanberry	J. L. Richardson	Dr. T. R. Welch
E. C. Hardin	Sherman Robbins	Gladstone Wesley
Talbert Holliday	Lee Rogers	W. G. Wheeler
A. R. Hudson	Chas. R. Scott	R. E. Wilborn
Adam W. Huff	Dr. B. F. Shields	V. M. Williamson
R. O. Huntsman	H. G. Skiles	W. N. Winn
Henry Kaufman	S. G. Smith	—62

Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz.:

House Bill No. 128. An Act to regulate the transportation of nitro-glycerine, dynamite or other high explosives over the highways of this Commonwealth, and providing penalties for violations thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) It shall be unlawful for any person, firm, corporation, company or individual to transport or haul over the highways of this Commonwealth any dynamite, nitro-glycerine or any high explosive at any time, except under the following conditions:

(a) No company, firm, corporation, person or individual shall transport or haul any such explosives or explosive substance as above indicated through the streets or alleys of any incorporated city or town, without having previously obtained from the Mayor or Chief or Police of such city or town, verbal or written permission to transport or haul such explosive through the same; in all cases such permission shall be so given, but it shall be and become the duty of such Mayor or Chief of Police to designate an officer to pilot said hauling or transportation through said streets or alleys.

(b) In no event shall any person, individual, firm or corporation transporting or hauling such explosive substances through said city or town permit a stoppage of same therein for any period of time, except in case of emergency or accident.

(c) No person, individual, firm, company or corporation transporting or hauling any high explosives, shall stop or rest the same for longer than five minutes at any one time within five hundred yards of any residence, school, church or other place where there may be assembled more than five persons, except in cases of emergency or accident.

(2) Any person, individual, firm, corporation or company violating the provisions of this act shall be punished by a fine or not less than $100.00, nor more than $1,000.00, or imprisoned for not less than thirty nor more than 365 days in the county jail, or both so fined and imprisoned.

(3) In any action for damages for injury resulting by a failure to observe this law, the fact that the law was violated shall be prima facie evidence of negligence.

The Committee on Rules offered the following amendment, viz.:

Insert in line 2, Section 1, after the word "individual" therein the words "except railroad companies."

Said amendment was adopted.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Sidney Alfrey	Henry Kaufman	S. G. Smith
L. H. Ballard	Griffin Kelly	R. Lee Stewart
W. T. Carner	W. L. Kimbrough	Wm. A. Stewart
J. F. Carr	J. M. Knott	John T. E. Stites
T. L. Caudel	Hebron Lawrence	T. R. Stultz
Charles M. Ciarlo	Joseph Lazarus	J. Mack Thompson
A. S. Cooper	A. J. McCandless	J. H. Thompson
P. A. Day	R. L. McFarron	John L. Trumbo
H. N. Dean	H. C. McLellen	J. Wood Vance
Dr. T. H. Gamblin	Harry J. Meyers	Fred C. VanHoose
J. W. Geveden	John T. Murphy	Daniel Vose
A. F. Hanberry	Estill W. Neel	A. M. Wash

E. C. Hardin	Chas. A. Nelson	J. S. Webb
Talbert Holliday	B. F. Reynolds	Dr. T. R. Welch
A. R. Hudson	J. L. Richardson	W. G. Wheeler
Adam W. Huff	Dr. B. F. Shields	R. E. Wilborn
Robt. Humphreys	H. G. Skiles	V. M. Williamson

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Resolved, That the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. J. H. Thompson moved that the House do now adjourn.

Said motion was agreed to.

Then the House at 10:20 P. M. adjourned.

SATURDAY, MARCH 13, 1920.

The House was called to order at 10:00 A. M.

The House was opened with prayer by Dr. McGlothlin, of the Baptist Church.

The roll-call to ascertain the presence of a quorum resulted as follows:

Lon Adams	A. R. Hudson	B. A. Roth
Sidney Alfrey	Adam W. Huff	Dr. Lewis Ryans
L. H. Ballard	Robt. Humphreys	Chas. R. Scott
H. H. Barnes	R. O. Huntsman	E. E. Shannon
S. M. Bennett	J. W. Johnson	Dr. B. F. Shields

J. M. Billiter
W. M. Boling
Rodney G. Bryson
Roy J. Cain
W. T. Carner
J. F. Carr
T. L. Caudel
Charles M. Ciarlo
A. S. Cooper
J. S. Cruse
P. A. Day
H. N. Dean
J. M. Foster
B. J. Geohringer
J. W. Geveden
Dr. W. L. Gossett
A. L. Hamilton
A. F. Hanberry
Dr. W. L. Haynes
Talbert Holliday
D. J. Howard
Griffin Kelly
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
I. S. Mason
A. J. McCandless
R. L. McFarron
H. C. McLellen
Harry J. Meyers
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
B. F. Reynolds
J. L. Richardson
Sherman Robbins
Lee Rogers
H. G. Skiles
S. G. Smith
R. Lee Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John W. Swope
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
Fred C. VanHoose
Daniel Vose
G. C. Waggoner
A. M. Wash
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler
R. E. Wilborn
W. N. Winn

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Upon motion of Mr. Roth, the reading of the Journal of March 12, 1920, was dispensed with and the Journal approved.

The following bills passed by the House were sent to the Senate:

House Bills Nos. 128, 269, 221, 512, 488, 336, 495, 546, 20, 533, 199, and 523.

The following Senate Bills passed by the House were returned to the Senate:

Senate Bills Nos. 90, 167, 319, 333.

The Chief Clerk certified to the Senate the amendments proposed by the House to Senate Bills Nos. 53 and 269.

Mr. Huntsman, of the Committee on Rules, called up for consideration from the Orders of the Day, a bill of the following title, viz:

House Bill No. 38. An Act to create the office of state inspector of plumbing, defining the duties of the office, fixing the compensation of the incumbent thereof, and fixing a penalty for the violation of any of the provisions of this Act.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

STATE INSPECTOR OF PLUMBING.

§ 1. There shall be, and is hereby, established and created in this state the office of state inspector of plumbing, under the direction and supervision of state board of health.

APPOINTMENT, QUALIFICATIONS, RULES AND REGULATIONS.

§ 2. It shall be the duty of the state board of health, within ninety days after the passage and approval of this Act, to appoint an elector of this state to fill the office of state inspector of plumbing, and to hold office until such a time as his successor may be appointed and qualified. The person so appointed must be a plumber with at least fifteen years' experience. The state board of health shall have the power to make and enforce rules and regulations governing plumbing to carry out the provisions of this Act.

DUTIES, EXCEPTIONS.

§ 3. It shall be the duty of said inspector of plumbing, as often as instructed by the state board of health, to inspect any and all public or private institutions, sanitariums, hospitals, schools, prisons, factories, workshops, or places where men, women or children are or might be employed and to con-

demn any and all insanitary or defective plumbing that may be found in connection therewith, and to order such changes in the method of construction of the drainage and ventilation, as well as the arrangement of the plumbing appliances, as may be necessary to insure the safety of the public health.

Such inspector shall not exercise any authority in municipalities or other political subdivisions wherein ordinances or resolutions have been adopted by the proper authorities regulating plumbing or prescribing the character thereof.

INSPECTOR.

§ 4. He shall hold himself in readiness at any and all times to go to any part of the state if so directed by the state board of health, for the purpose of making a sanitary inspection of any building or other place that they have reason to believe is in such a condition as to be a menace to the public health.

CERTIFICATES OF INSPECTION.

§ 5. When any building is found to be in a sanitary condition or when changes which are ordered in the plumbing, drainage or ventilation have been made, and after a thorough inspection on approval by said inspector of plumbing, he shall issue a certificate signed by himself and countersigned by the state board of health, which must be posted in a conspicuous place for the benefit of the public at large. Upon notification by said inspector, said certificate shall be revoked for any violation of this act.

FEES.

§ 6. For each inspection and certificate so issued, except on inspection of state buildings or structures, he shall charge a fee of five dollars, such a fee to be turned into the state treasury. If upon first inspection such work is found in sanitary condition, no charge is to be made for such inspection or certificate.

BOND, APPROVAL.

§ 7. Within twenty days after his appointment the said inspector shall give a bond, payable to the Commonwealth of Kentucky, for the faithful performance of his duties in the sum of five thousand dollars. Said bond, when approved by the attorney general shall be deposited with the auditor of state.

NOT TO ENGAGE IN PLUMBING BUSINESS.

§ 8. The inspector so appointed shall not, during his term of office, be engaged or interested in the plumbing business or the sale of any plumbing supplies, nor shall he act as agent, directly or indirectly, for any person or persons so engaged.

COMPENSATION.

§ 9. He shall receive for his services a salary of two thousand dollars per annum, payable monthly and all necessary expenses.

AUTHORITY TO ENTER BUILDINGS.

§ 10. He shall have the power between sunrise and sunset to enter any public building where he has good and sufficient reason to believe that the sanitary condition of such premises is such as to endanger the public health, for the purpose of making such inspection as may be necessary to ascertain the condition of the same.

OFFICE, ETC.

§ 11. He shall be provided with a suitable office in the city of Frankfort, as well as with all necessary apparatus for making tests, and such stationery as the business of his office may require.

DUTY OF OWNERS OF BUILDINGS.

§ 12. It shall be the duty of any owner, agent or manager, of any public building where an inspection is ordered by said inspector of plumbing to cause or have the entire system of drainage and ventilation repaired, as he may direct. After due notice to repair such work, it shall be the duty of said owner, agent or manager to notify said inspector of plumbing that such work is ready for his inspection. Failing to have the work ready for inspection at specified time of such notice, he will be subject to such penalty as hereinafter provided.

PENALTY.

§ 13. Any person or persons, owner, agent or manager refusing, failing or neglecting to comply with any of the provisions of this Act, shall be deemed guilty of a misdemeanor, and upon conviction shall be subject to a fine not less than ten nor more than one hundred dollars, or imprisoned for not less than ten nor more than ninety days or both; but no person shall be imprisoned under this section for the first offense, and the prosecution shall always be as and for a first offense, unless the affidavit upon which the prosecution is instituted contains the allegation that the offense is a second or repeated offense.

ARREST AND PROSECUTION.

§ 14. It shall be the duty of said inspector of plumbing upon receipt of the knowledge that any part of this Act has been violated to go before any justice of the peace and cause the arrest and prosecution of all persons of whom he has reason to believe are guilty of such violation.

§ 15. All Acts and parts of Acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and defeated.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Rodney G. Bryson	J. W. Johnson	J. H. Thompson
Charles M. Ciarlo	Griffin Kelly	C. B. Truesdell
H. N. Dean	J. M. Knott	Daniel Vose
E. C. Hardin	Harry J. Meyers	A. M. Wash
D. J. Howard	John T. Murphy	J. S. Webb
Robt. Humphreys	Estill W. Neel	W. M. Williamson
R. O. Huntsman	Dr. B. F. Shields	—20

Those who voted in the negative were:

Lon Adams	Dr. W. L. Haynes	Chas. R. Scott
L. H. Ballard	Talbert Holliday	E. E. Shannon
S. M. Bennett	Adam W. Huff	H. G. Skiles
J. M. Billiter	Frank Kennard	S. G. Smith
W. M. Boling	W. L. Kimbrough	R. Lee Stewart
W. T. Carner	Dr. S. D. Laughlin	Wm. A. Stewart
J. F. Carr	Hebron Lawrence	John T. E. Stites
A. S. Cooper	Joseph Lazarus	Frank L. Strange
J. S. Cruse	A. J. McCandless	T. R. Stultz
P. A. Day	R. L. McFarron	John W. Swope
H. C. Duffy	H. C. McLellen	J. Mack Thompson
J. M. Foster	Mack J. Morgan	John L. Trumbo
Dr. T. H. Gamblin	Chas. A. Nelson	J. Wood Vance
B. J. Geohringer	T. P. Oliver	Fred C. VanHoose
J. W. Geveden	B. F. Reynolds	G. C. Waggoner
Dr. W. L. Gossett	J. L. Richardson	Gladstone Wesley

A. L. Hamilton	Sherman Robbins	R. E. Wilborn
A. F. Hanberry	Lee Rogers	W. N. Winn

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So said bill was defeated.

Mr. Haynes moved that the vote by which said bill was defeated be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration House Bill No. 129.

Then the House took up for consideration from the Orders of the Day a bill entitled.

House Bill No. 129. An Act relating to revenue and taxation.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Payment of Taxes and Reports by Sheriff—Penalty.—The Sheriff or Collector of the State revenue in each county of this Commonwealth shall, on the first day of May, June, August, September, October, November, December and January of the following year, report to the Auditor of Public Accounts the amount of all taxes he has collected, and pay the same immediately, and shall account for and pay all taxes which he has collected for the State by the first of January in each year; and upon his failure to do so, he and his sureties shall be liable therefor, and shall be proceeded against at the first term thereafter of the Franklin Circuit Court.

Any Sheriff or Collector who shall fail to report as herein required shall be liable to indictment in the Franklin Circuit Court, and upon conviction be fined not less than one hundred nor more than five hundred dollars for each offense,

and it shall be the duty of the Auditor of Public Accounts to report to the Grand Jury of Franklin County at the next term of said court after such failure to report, the name of such Sheriff or Collector so failing to report. The Sheriff or Collector shall be required by the Auditor of Public Accounts to pay a penalty of six per centum on all taxes and unpaid by him on the thirtieth of January in each year. The Auditor of Public Accounts, in his settlement with the Sheriff or Collector, shall charge him with the penalties accruing under the provisions of this act.

§ 2. Taxes When Due—Interest and Penalty.—All state, county and district taxes, except as otherwise specially provided, shall be due and payable on and after the first day of March after the assessment, and all tax-payers whose taxes are not paid on or before the first day of January, after the same are due shall be deemed delinquent, and such taxes shall bear interest at the rate of six per cent per annum from the second day of January after they are due, until paid; and any tax-payer failing to pay his taxes on or before the thirtieth day of January after they are due, shall pay a flat penalty of six per cent additional, based on the amount of taxes due and unpaid. The Sheriff or Collector whose duty it is to receive or collect the taxes shall collect the interest and penalty and account for the same in the same manner in which they are required to account for the taxes.

§ 3. All laws and parts of laws in conflict herewith are hereby repealed.

§ 4. This act shall take effect upon its passage after the constitutional period has elapsed.

Mr. Swope offered the following amendment:

To extend time from December 1st to 31st before per cent goes on.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Said motion was agreed to.

The constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	Adam W. Huff	Lee Rogers
Sidney Alfrey	Robt. Humphreys	Chas. R. Scott
L. H. Ballard	R. O. Huntsman	E. E. Shannon
H. H. Barnes	J. W. Johnson	Dr. B. F. Shields
W. T. Beckham	Henry Kaufman	H. G. Skiles
W. M. Boling	Griffin Kelly	S. G. Smith
Roy J. Cain	Frank Kennard	R. Lee Stewart
W. T. Carner	W. L. Kimbrough	John T. E. Stites
J. F. Carr	J. M. Knott	Frank L. Strange
T. L. Caudel	Dr. S. D. Laughlin	T. R. Stultz
A. S. Cooper	Hebron Lawrence	John W. Swope
P. A. Day	Elmer Lusby	Dr. D. J. Travis
H. N. Dean	I. S. Mason	John L. Trumbo
H. C. Duffy	A. J. McCandless	J. Wood Vance
J. M. Foster	R. L. McFarron	Daniel Vose
Dr. T. H. Gamblin	H. C. McLellen	G. C. Waggoner
B. J. Geohringer	Mack J. Morgan	J. S. Webb
J. W. Geveden	John T. Murphy	Gladstone Wesley
Dr. W. L. Gossett	Estill W. Neel	W. G. Wheeler
A. F. Hanberry	Chas. A. Nelson	R. E. Wilborn
E. C. Hardin	B. F. Reynolds	V. M. Williamson
Dr. W. L. Haynes	J. L. Richardson	W. N. Winn
Talbert Holliday	Sherman Robbins	—68

Those who voted in the negative were:

Rodney G. Bryson	D. J. Howard	A. M. Wash
J. S. Cruse	J. Mack Thompson	Dr. T. R. Welch

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Resolved that the title be as aforesaid:

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, moved to suspend the rules and take up for immediate consideration Senate Resolution No. 26.

Said motion was agreed to.

Said resolution reads as follows:

Whereas, Carrie Elizabeth Thompson, who was employed by M. B. Hifner, County Superintendent of Schools of Woodford County, under the sanction and authority of V. O. Gilbert, State Superintendent of Public Instruction, to teach common school, sub-district number 5, educational division No. 1, of Woodford County, for a six months period, beginning September 15, 1919 and ending March 8, 1920; and

Whereas, Miss Carrie Elizabeth Thompson was not of legal age to entitle her to hold a certificate under existing laws but was allowed to teach by the Superintendents aforesaid to meet an emergency arising out of the unsettled conditions occasioned by the war; and

Whereas, she rendered the services in teaching the aforesaid school faithfully and well, but is unable to draw a salary under existing laws;

Therefore, be it resolved by the Senate, the House concurring that there is hereby appropriated out of the school fund going to Woodford County for the school year 1919-

1920 the sum of $370 to be used in paying Miss Carrie Elizabeth Thompson for services rendered as teacher in sub-division 5, educational division 1, of Woodford County, Kentucky, for the period of six months beginning September 15, 1919, and ending March 8, 1920.

The Superintendent of Public Instruction is hereby authorized to draw his warrant on the Auditor of Public Accounts who shall draw his warrant on the Treasurer, who shall pay out of the school fund aforesaid the amount for the benefit of Miss Carrie Elizabeth Thompson, and charge the same against the school fund apportioned to Woodford County for the year 1919-1920.

The yeas and nays being taken on the passage of said resolution resulted as follows:

Those who voted in the affirmative were:

Lon Adams
L. H. Ballard
S. M. Bennett
J. M. Billiter
W. M. Boling
Roy J. Cain
W. T. Carner
J. F. Carr
T. L. Caudel
A. S. Cooper
P. A. Day
H. N. Dean
J. M. Foster
Dr. T. H. Gamblin
B. J. Geohringer
Dr. W. L. Gossett
A. F. Hanberry
E. C. Hardin
Dr. W. L. Haynes
D. J. Howard
Adam W. Huff
Griffin Kelly
Frank Kennard
W. L. Kimbrough
J. M. Knott
Dr. S. D. Laughlin
Hebron Lawrence
Joseph Lazarus
Elmer Lusby
I. S. Mason
R. L. McFarron
H. C. McLellen
Harry J. Meyers
Mack J. Morgan
John T. Murphy
Estill W. Neel
Chas. A. Nelson
T. P. Oliver
B. F. Reynolds
J. L. Richardson
Lee Rogers
Chas. R. Scott
H. G. Skiles
S. G. Smith
R. Lee Stewart
Wm. A. Stewart
John T. E. Stites
Frank L. Strange
T. R. Stultz
John W. Swope
J. Mack Thompson
J. H. Thompson
Dr. D. J. Travis
C. B. Truesdell
John L. Trumbo
J. Wood Vance
Fred C. VanHoose
Daniel Vose
A. M. Wash
J. S. Webb
Dr. T. R. Welch
Gladstone Wesley
W. G. Wheeler

J. W. Johnson E. E. Shannon R. E. Wilborn
Henry Kaufman Dr. B. F. Shields —68

Voting in the negative:

A. J. McCandless —1

So said resolution was concurred in.

Mr. Huntsman moved that the vote by which said resolution was concurred in be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration House Bill No. 106.

Then the House took up for consideration from the Orders of the Day a bill entitled.

House Bill No. 106. An Act to pension worthy blind persons.

Said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the fiscal court or county commissioners of each of the counties of the State shall levy, collect and disburse such sums of money from the general funds of their county, as may be necessary to comply with the provisions of this act.

That each county shall contribute toward the support of the worthy blind adults in the county, the sum of $96.00 per annum, each as herein provided, said sum to be known as a Blind Man's Pension and payable quarterly in equal installments due in the months of February, May, August, and November, on the first day thereof.

That before any person shall be entitled to the benefits of this act, such person must have resided continuously in the State of Kentucky for not less than five years and in the county of their residence not less than one year next before application is made. Such worthy blind person may, therefore, in the month of June not later than the fifteenth day thereof, file his written application for a Blind Man's Pension in the office of the county clerk of the county of his or her residence, which application shall be sworn to and accompanied by the affidavit of at least one disinterested housekeeper resident of the county, in support of the facts stated in the application. Upon the filing of the application, it shall be the duty of the county clerk of the county with whom such application shall have been filed to cause the fact to be published in some paper of general circulation in the county where application is made; said clerk shall thereafter, without delay certify to the county or city physician nearest the address of the applicant the name or names and the address of the applicant. It shall thereafter become and be the duty of the said physician to notify the applicant of the time and place where he will diligently examine the eyes of the applicant, and upon the margin of his or her application note the facts concerning the condition of his or her eyesight, and if in his opinion it is necessary, he, the examining physician, may consult other physicians concerning conditions to determine whether the applicant is destitute of useful vision, and if it is so found, same shall be noted on the margin of the application. The examining physician shall thereupon without delay return the application with notations to the office of the county clerk and in those cases where it is determined that the applicant is deprived of the useful vision, said clerk shall so certify to the county judge of his county for approval; such judge may in his discretion hear evidence of competent witnesses to any disputed facts, and if such application is so approved, said judge shall make the necessary order on the records of his court directing the county clerk of the county to add the name of such applicant to the list of worthy blind and further direct the county treasurer to pay to such applicant the sum herein specified.

That no person shall be entitled to the pension herein provided, who, by manual labor, or by his or her skill or knowledge in any profession, trade or craft is able to earn any sum in excess of $400.00 dollars per annum, or who receives a pension from the United States or any state or foreign government or from any other source which when added to his earnings will exceed the sum of $400.00, or who possesses property to the value of $2,500.00 or more or who has an income from any source in excess of $400.00 dollars per annum, or who is an inmate of any State or charitable institution within this State or any other state as determined by the county judge to whom such application has been referred by the examining physician as above provided.

That an emergency is hereby declared to exist and that this act be in force from and after its passage and approval.

Mr. Lazarus offered the following amendment:

Amend House Bill 106 by adding after line 53, on page 3 of the printed bill, the words "the provisions of this act shall not apply to counties containing a city of the first class."

Said amendment was agreed to.

Mr. Lawrence offered the following amendment:

Amend House Bill 106 by striking out "shall" in line two and insert in lieu thereof the word "may" and by striking out the word "shall" in line 5 and adding the word "may."

Upon a division, this amendment was disagreed to, yeas 30, nays 35.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Lon Adams	E. C. Hardin	B. F. Reynolds
H. H. Barnes	Dr. W. L. Haynes	J. L. Richardson
S. M. Bennett	Talbert Holliday	Chas. R. Scott
W. M. Boling	Adam W. Huff	E. E. Shannon
Rodney G. Bryson	Robt. Humphreys	Dr. B. F. Shields
Roy J. Cain	Henry Kaufman	R. Lee Stewart
J. F. Carr	J. M. Knott	Wm. A. Stewart
T. L. Caudel	Dr. S. D. Laughlin	T. R. Stultz
Charles M. Ciarlo	Joseph Lazarus	J. Mack Thompson
A. S. Cooper	Elmer Lusby	Dr. D. J. Travis
J. S. Cruse	I. S. Mason	C. B. Truesdell
P. A. Day	A. J. McCandless	John L. Trumbo
H. N. Dean	H. C. McLellen	J. Wood Vance
H. C. Duffy	Harry J. Meyers	Fred C. VanHoose
Dr. T. H. Gamblin	Estill W. Neel	J. S. Webb
B. J. Geohringer	Chas. A. Nelson	Gladstone Wesley
Dr. W. L. Gossett	T. P. Oliver	W. G. Wheeler
A. F. Hanberry	T. C. Pryse	V. M. Williamson

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Those who voted in the negative were:

L. H. Ballard	Hebron Lawrence	Frank L. Strange
J. W. Johnson	Mack J. Morgan	Daniel Vose
Frank Kennard	H. G. Skiles	—10
W. L. Kimbrough	S. G. Smith	

Resolved that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it has passed House Bill No. 253, with certain amendments thereto.

Also that it had passed House Bill No. 261, with certain amendments thereto.

Also that it had passed Senate Bill No. 261, entitled,

An Act to abolish the office of Trustee of the Jury Fund, which shall become operative on and after the first Monday in January, 1922, and to require Clerks of the Circuit Courts of the several districts in this Commonwealth who shall be elected at the regular November election in 1921, to perform thereafter all the duties required by the Trustee of the Jury Fund under the laws of this Commonwealth, and which duties shall become a part of the duties of the office of Circuit Clerks, with provision for compensation therefor.

Ordered that said Senate Bill be printed for the House and referred to the Committee on Rules.

Mr. Huntsman, of the Committee on Rules, called up for consideration Senate amendments to House Bill No. 253.

Said amendments are as follows:

(1) Amend Section 2 of House Bill No. 253, by adding after the word "preservation," in line 9, the following: "That the Commissioner of Agriculture, Labor and Statistics is hereby authorized to hire such clerks, stenographers and laborers as may be necessary and to appoint with the consent and approval of the Governor for a period of two years, a practical

and trained forester, whose duties shall be the supervision of all the forestry properties of this State and the forwarding and advancement of the forest interests of the Commonwealth generally through active management and development of all said properties including State nurseries and forest reserves, and the preparation and distribution of any and all printed reports, circulars and other literature relating to reforestration, protective forestry, and forest conservation in this Commonwealth, under the authority and the direction of the Commissioner of Agriculture, Labor and Statistics, and to do any and all things directed by the said Commissioner of Agriculture, Labor and Statistics, in relation thereto. For such services said forester shall be paid the sum of $2,000.00 per annum in monthly payments as other State salaries are paid. For the carrying forward of the forestry work above mentioned and for paying any and all salaries, printing, postage and other general expenses connected therewith, there is hereby appropriated the sum of $5,000.00 annually from State funds not otherwise appropriated.

(2) Amend amendment No. 1 to House Bill 253, by striking out "two thousand dollars" where it occurs and substitute in lieu thereof the words "three thousand dollars," and by striking out the words "five thousand dollars" and inserting in lieu thereof the words "six thousand dollars."

(3) Amend Section 3 of House Bill 253 by striking out all of said section and substituting in lieu thereof the following: "Whereas, the duties of the State Forester have been transferred to the control of the Commissioner of Agriculture, Labor and Statistics and whereas it is imperative to the best interests of the State and to the forests of the State that the reorganization of said forestry activities become effective at once, an emergency is declared to exist and this act shall become a law and be effective upon its passage by the General Assembly and approval by the Governor."

(4) Amend Amendment No. 1 to House Bill 253 by striking out in line 7 the words " a practical and trained forester" and substitute the following: "A graduate of a school of forestry. a technically trained forester and shall have both a practical and theoretical knowledge of forestry."

(5) Amend Amendment No. 1 by adding the following: "Provided that the department of Game and Fish may co-operate with the department of Forestry in combining the services of field men, or wardens, so that both departments may make agreements to carry out such co-operation and may fix a joint salary or per diem allowance to said wardens."

(6) Amend the title to House Bill 253 by adding thereto, immediately after the word "inclusive," at the end of the title the following words: "and to empower the Commissioner of Agriculture, Labor and Statistics to employ necessary clerks, stenographers and laborers and to appoint a forester, fixing his salary, to appropriate funds for the purpose of carrying out the provisions of this act and allowing co-operation with the Game Department, and declaring an emergency to exist."

Said amendments were concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Sidney Alfrey	Adam W. Huff	Sherman Robbins
H. H. Barnes	R. O. Huntsman	B. A. Roth

Rodney G. Bryson	J. W. Johnson	Chas. R. Scott
Roy J. Cain	Henry Kaufman	Dr. B. F. Shields
W. T. Carner	Frank Kennard	S. G. Smith
J. F. Carr	W. L. Kimbrough	R. Lee Stewart
T. L. Caudel	Dr. S. D. Laughlin	Wm. A. Stewart
Charles M. Ciarlo	Hebron Lawrence	T. R. Stultz
A. S. Cooper	Joseph Lazarus	C. B. Truesdell
P. A. Day	Elmer Lusby	John L. Trumbo
H. N. Dean	I. S. Mason	J. Wood Vance
J. M. Foster	R. L. McFarron	Fred C. VanHoose
Dr. T. H. Gamblin	H. C. McLellen	Daniel Vose
B. J. Geohringer	Harry J. Meyers	A. M. Wash
A. F. Hanberry	John T. Murphy	J. S. Webb
E. C. Hardin	Estill W. Neel	R. E. Wilborn
Dr. W. L. Haynes	B. F. Reynolds	W. N. Winn
Talbert Holliday	J. L. Richardson	—53

Those who voted in the negative were:

Lon Adams	Griffin Kelly	Frank L. Strange
S. M. Bennett	J. M. Knott	Dr. T. R. Welch
J. M. Billiter	A. J. McCandless	V. M. Williamson
H. C. Duffy	Chas. A. Nelson	—13
Dr. W. L. Gossett	H. G. Skiles	

Resolved that the title thereof be as amended.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bryson moved that today's session be indefinitely extended.

Said motion was agreed to.

Mr. Bryson then moved that the House recess at 12:15 P. M. until 1:30 P. M. today.

Said motion was agreed to.

Mr. Huntsman, of the Committee on Rules, called up for consideration Senate amendments to House Bill No. 261.

Said amendments are as follows:

(1) Amend House Bill 261 in Senate by striking therefrom all that part of Section 3, beginning with the word "He" in line 15, to the end of line 21, and including the remainder of line 15, and all of lines 16, 17, 18, 19, 20 and 21.

(2) Amend House Bill 261 in Senate by adding to Section 3 after the word "serves" in line 21 on page 2 the following: "He shall devote his entire time to the above duties as hereinbefore set out and not accept outside employment."

(3) Amend House Bill 261, printed bill in Senate by striking therefrom on page 4, section 8, in lines 4, 5 and 6, the words "To be paid out of the general expenditure fund as in the case of official reports," and substitute in lieu thereof the words: "To be paid out of the general expenditure fund not to exceed the sum of $5,000.00."

Said amendments were concurred in.

Ordered, that said bill be engrossed and read the third time.

Mr. Huntsman moved that the third reading of said bill be by its title only.

Which motion was agreed to.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

H. H. Barnes	Henry Kaufman	Chas. R. Scott
Rodney G. Bryson	Griffin Kelly	Dr. B. F. Shields
Roy J. Cain	W. L. Kimbrough	H. G. Skiles
J. F. Carr	Hebron Lawrence	S. G. Smith
Charles M. Ciarlo	Joseph Lazarus	R. Lee Stewart
A. S. Cooper	Elmer Lusby	Wm. A. Stewart
J. S. Cruse	I. S. Mason	John T. E. Stites
P. A. Day	R. L. McFarron	T. R. Stultz
H. C. Duffy	H. C. McLellen	C. B. Truesdell
J. M. Foster	Harry J. Meyers	J. Wood Vance
B. J. Geohringer	John T. Murphy	Daniel Vose
A. L. Hamilton	Estill W. Neel	G. C. Waggoner
Dr. W. L. Haynes	T. P. Oliver	J. S. Webb
Talbert Holliday	T. C. Pryse	Gladstone Wesley
A. R. Hudson	B. F. Reynolds	W. G. Wheeler
Adam W. Huff	J. L. Richardson	W. N. Winn
Robt. Humphreys	Lee Rogers	—52
R. O. Huntsman	B. A. Roth	

Those who voted in the negative were:

D. J. Howard	Dr. S. D. Laughlin	John L. Trumbo
J. W. Johnson	Chas. A. Nelson	Dr. T. R. Welch
Frank Kennard	Frank L. Strange	V. M. Williamson
J. M. Knott	J. Mack Thompson	—11

Resolved that the title thereof be as aforesaid.

Mr. Huntsman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that it had passed the following Senate Bills:

Senate Bill No. 156, entitled:

An Act to amend Section Twenty-One (21) Chapter I, Title Three (3) of the Civil Code of Practice, providing for the bringing of actions by persons acting for others.

Senate Bill No. 110, entitled:

An Act making it unlawful for any persons to cut off, erase, deface, or in any manner remove from an automobile the manufacturer's serial number, or the serial number of the motor, providing a penalty therefor and providing that the ownership, possession or control of an automobile from which either of said serial numbers have been erased, defaced, cut off or removed, shall be prima facie evidence that same was done by the person owning, possessing or having control of said automobile.

Senate Bill No. 344, entitled:

An Act to amend and re-enact Sub-section 3 of Section 331-e of the Kentucky Statutes, Carroll's Edition 1915, relating to the compensation of probation officers.

Ordered that said bill be printed for the House and referred to the Committee on Rules.

The following bills were sent to the Senate:

House Bills Nos. 129 and 106.

Senate Resolution No. 26.

The Chief Clerk certified to the Senate that the House had concurred in the Senate amendments to House Bills Nos. 253 and 261.

Then the House, at 12:15 P. M., took a recess until 1:30 P. M.